

# Washington, Saturday, November 11, 1944

### The President

# PROCLAMATION 2630

EMERGENCY BOARD, BINGHAM AND GARFIELD RAILWAY COMPANY—EMPLOYEES

BY THE PRESIDENT OF THE UNITED STATES

OF AMERICA

A PROCLAMATION

WHEREAS, the President, having been duly notified by the National Mediation Board that a dispute between the Bingham and Garfield Railway Company, a carrier, and certain of its employees represented by the following labor organization:

Brotherhood of Locomotive Firemen and Enginemen

which dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, amended, now threatens substantially to interrupt interstate commerce within the State of Utah to a degree such as to deprive that section of the country of essential transportation service:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of 3 persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate the aforementioned dispute and report its findings to me within thirty days from this date.

The members of this board shall be compensated for and on account of such duties in the sum of seventy-five dollars (\$75) for every day actually employed with or upon account of travels and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the board, including necessary transportation expenses, and in conformity with Public No. 373—78th Congress, approved June 28, 1944, not to exceed six dollars (\$6.00) per diem in lieu of subsistence while so employed.

All expenditures of the board shall be allowed and paid for out of the appropriation "Arbitration and Emergency Boards, National Mediation Board, 1945" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

of the board hereby created.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

of the United States to be affixed.

Done at the city of Washington this
8th day of November in the year of our
Lord one thousand nine hundred
[SEAL] and forty-four, and of the Independence of the United States
of America the one hundred and sixty-

#### FRANKLIN D ROOSEVELT

By the President:

E. R. STETTINIUS, Jr.
Acting Secretary of State.

[F. R. Doc. 44-17223; Filed, Nov. 10, 1944; 11:57 a. m.]

# Regulations

### TITLE 7-AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q.-Q. 8]

PART 319—FOREIGN QUARANTINE NOTICES
PINK BOLLWORM OF COTTON

Introductory note: This revision of the pink bollworm quarantine and regulations makes provision for the entry of cottonseed and cottonseed hulls produced from sterilized seed in portions of the State of Tamaulipas, Mexico, adjacent to the United States. This quarantine has excluded cottonseed and cottonseed hulls from all foreign localities and countries since 1913, excepting only the locality of the Imperial Valley in the Territory of Baja California, Mexico, on account of the pink bollworm of cotton. Now it has been ascertained that comparable infestations of pink bollworm exist in parts of the lower Rio Grande Valley of Texas and a contiguous area of Mexico, and the Departments of Agriculture of Mexico and United States are jointly working to control the insect in their respective territories adjacent to the border. Hence entry can be made

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# NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

Book 1: Titles 1-3 (Presidential documents) with tables and index.

Book 2: Titles 4-9, with index.

Book 3: Titles 10-17, with index.

Book 4: Titles 18-25, with index.

Book 5, Part 1: Title 26, Parts 2-178.

Book 5, Part 2: Title 26, completed; Title 27; with index.

Book 6: Titles 28-32, with index.

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without increased risk to the cotton crop of the United States of (1) sterilized cottonseed produced in portions of the State of Tamaulipas for milling and handling subject to the same conditions as apply to the production and distribution of seed grown in contiguous area of Texas, and (2) cottonseed hulls produced from said sterilized seed.

At the same time the excepted locality of the Imperial Valley is extended to include a small portion of the Valley that extends into northwestern Sonora.

The Secretary of Agriculture, having determined that it was necessary to place an embargo against cottonseed and cottonseed hulls from all foreign countries to prevent the entry of an injurious insect known as the pink bollworm of cotton (Pectinophora gossypiella Saunders), new to and not theretofore widely prevalent or distributed within and throughout the United States, and having given the public hearing required by law, on May 28, 1913, promulgated § 319.8, forbidding the importation into the United States of cottonseed of all species and varieties and cottonseed hulls from any foreign locality and country, excepting only the locality of the Imperial Valley in the Territory of Baja California, Mexico.

Because of certain changes that have developed in the pink bollworm situation with respect to the United States and Mexico, the Secretary of Agriculture, having given, on July 19, 1944, a further public hearing in the matter, has determined that it is desirable to revise the aforesaid quarantine and supplemental regulations so as to permit, under suitable restrictions, the entry of cottonseed and cottonseed hulls from portions of the State of Tamaulipas, Mexico, adjacent to the United States, and also to extend the requirements now applicable in the Imperial Valley to that part of the Valley lying between San Luis Mesa and the Colorado River in the State of

Sonora, Mexico.

Pursuant to the authority conferred upon the Secretary of Agriculture by the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 1940 ed. 151 et seq.), the subpart entitled "Pink Bollworm of Cotton" of Part 319 [B. E. P. Q.—Q. 81, as amended is hereby revised to read as follows:

#### SUBPART-PINK BOLLWORM OF COTTON

Sec.
319.8 Notice of quarantine.
319.8-1 Applications for and issuance of permits.
319.8-2 Refusal of permits.

319.8-3 Notice of arrival. 319.8-4 Conditions of entry of cottonseed

and cottonseed hulls.

319.8-5 Other conditions governing the entry of cottonseed and cottonseed hulls from the specified green in

hulls from the specified area in the State of Tamaulipas, Mexico. AUTHORITY: §§ 319.8 to 319.8-5, inclusive, issued under secs. 5 and 7, 37 Stat. 316, 317; 7 U. S. C. 1940 ed. 159 and 160.

§ 319.8 Notice of quarantine. The fact has been determined by the Secretary of Agriculture that an injurious insect known as the pink bollworm of cotton (Pectinophora gossypiella Saunders), new to and not heretofore widely distributed within and throughout the

United States, exists in many foreign countries. Under the authority conferred by the Plant Quarantine Act of August 20, 1912, as amended (7 U.S. C. 1940 ed. 151 et seq.), the Secretary of Agriculture hereby declares that it is necessary, in order to prevent the introduction into the United States of an injurious insect, to-wit, the pink bollworm of cotton, to forbid the importation into the United States of cottonseed of all species and varieties and cottonseed hulls from any foreign locality and country, excepting only the locality of the Imperial Valley in the Territory of Baja California, Mexico, including that portion of the Valley in the State of Sonora lying between San Luis Mesa and the Colorado River, and the area in the State of Tamaulipas, Mexico, adjacent to the United States, comprising the municipios of Guerrero, Mier, Camargo, Reynosa, Matamoros, Mendez, and San

Hereafter and until further notice, by virtue of said Plant Quarantine Act, as amended, the importation for any purpose of cottonseed and cottonseed hulls from all foreign localities and countries, excepting only the locality of the Imperial Valley in the Territory of Baja California, Mexico, including that portion of the Valley in the State of Sonora lying between San Luis Mesa and the Colorado River, and the aforesaid area in the State of Tamaulipas, Mexico, is prohibited. Cottonseed and cottonseed hulls from the excepted locality and area in Mexico may be imported in accordance with the regulations promulgated supplemental to this quarantine.

§ 319.8-1 Applications for and issuance of permits. Persons desiring to import cottonseed and cottonseed hulls shall submit to the Bureau of Entomology and Plant Quarantine an application stating the name and address of the importer, the approximate quantity of cottonseed or cottonseed hulls which it is desired to import, the United States port of entry, the approximate date of arrival, the place of origin in the Imperial Valley, Mexico, or in the area in the State of Tamaulipas, Mexico, specified in § 319.8, and in the case of cottonseed from the specified area in Tamaulipas, the mill approved by the Chief of the Bureau of Entomology and Plant Quarantine, at which the seed will be crushed. Upon receipt of such application and after approval by the Chief of the Bureau of Entomology and Plant Quarantine, a permit will be issued authorizing the importation from the Imperial Valley, Mexico, or the specified area in the State of Tamaulipas subject to the restrictions and requirements set forth in §§ 319.8-2 to 319.8-5.

§ 319.8-2 Refusal of permits. Permits for the entry of cottonseed and cottonseed hulls from the Imperial Valley, Mexico, may be refused and existing permits may be canceled, unless effective quarantine measures are maintained by the duly authorized officials of Mexico, prohibiting the entry into Baja California or cottonseed, seed cotton, cottonseed hulls, and lint cotton, baled

or unbaled, grown in other parts of Mexico or in foreign countries other than the United States.

Permits for the entry of cottonseed and cottonseed hulls originating in the area in the State of Tamaulipas, Mexico, specified in § 319.8, may be refused and existing permits canceled, unless effective quarantine measures are maintained by the duly authorized officials of Mexico, prohibiting the movement into the said specified area of cottonseed and seed cotton from other infested areas of Mexico, or from foreign countries other than the United States, and requiring the sterilization within such specified area of cottonseed in the ginning process and the subsequent handling of the sterilized seed to prevent contamination.

§ 319.8-3 Notice of arrival. Immediately upon the arrival of the cotton-seed or cottonseed hulls at the port of entry the permittee shall submit in duplicate a notice, through the collector of customs, on forms provided for that purpose (Form EQ-368).

§ 319.8-4 Conditions of entry of cottonseed and cottonseed hulls. Cottonseed or cottonseed hulls from the Imperial Valley, Mexico, or the area in the State of Tamaulipas, Mexico, specified in § 319.8, shall not be entered or delivered to the importer or consignee until the collector of customs shall have received a notice in writing from an inspector of the United States Department of Agriculture that such cottonseed and cottonseed hulls have been inspected by him or under his direction, and found to be free from infestation or infection. Each importation shall be subject to such inspection as may be necessary to determine its freedom from injurious insects and plant diseases and to such treatment as may be necessary in connection with pests found present. All charges for storage, cartage, and labor incident to inspection, other than the services of the inspector, shall be paid by the importer.

§ 319.8-5 Other conditions governing the entry of cottonseed and cottonseed hulls from the specified area in the State of Tamaulipas, Mexico. (a) Cottonseed to be eligible for importation into the United States from the area in the State of Tamaulipas, Mexico, specified in § 319.8 also must:

(1) Originate in the municipios of Guerrero, Mier, Camargo, Reynosa, Matamoros, Mendez, and San Fernando, in the State of Tamaulipas.

(2) Have been sterilized during the ginning process, stored in a manner to prevent subsequent contamination, and otherwise handled in a manner and under supervision satisfactory to the Chief of the Bureau of Entomology and Plant Quarantine.

(3). Be accompanied by either a certificate signed jointly by a responsible official of the Mexican Department of Agriculture and by an inspector of the United States Department of Agriculture or by separate certificates one of which is signed by a responsible official of the Mexican Department of Agriculture and the other signed by an inspector of the United States Department of Agricul-

ture, that the products comply with subparagraphs (1) and (2) above.

(4) Be consigned to a destination within, and move into the area of the State of Texas comprising the counties of Cameron, Hidalgo, Starr, and Willacy, where the degree of infestation of the pink bollworm is comparable to that in the adjacent specified area of origin in the State of Tamaulipas, Mexico.

(5) After importation, be handled and crushed under supervision of an inspector of the United States Department of Agriculture in accordance with the requirements of the regulations supplemental to Domestic Pink Bollworm Quarantine No. 52 (7 CFR 301.52-1 to 301.52-12), as applicable to cottonseed produced in the counties of Cameron, Hidalgo, Starr, and Willacy of the State of Texas.

(6) Be imported only during the period of seasonal operation of the mills for crushing cottonseed of United States origin under supervision of inspectors of the United States Department of Agriculture.

(b) Cottonseed hulls to be eligible for importation from the area in the State of Tamaulipas, Mexico, specified in § 319.8, must be certified by an inspector of the United States Department of Agriculture as having been produced from cottonseed originating in the said specified area and from cottonseed which was sterilized during the ginning process and thereafter protected from contamination in manner and under supervision satisfactory to the Chief of the Bureau of Entomology and Plant Quarantine.

This revision of the quarantine and regulations shall be effective on and after November 11, 1944, and shall supersede the quarantine and regulations promulgated May 28, 1913, and amendments

Done at Washington, D. C., this 9th day of November, 1944.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CLAUDE R. WICKARD, Secretary of Agriculture.

[F. R. Doc. 44-17219; Filed, Nov. 10, 1944; 11:32 a. m.]

# TITLE 14—CIVIL AVIATION

Chapter I-Civil Aeronautics Board

[Regs., Serial No. 325]

PART 280-FORMS AND APPLICATIONS

REPORTS OF STOCK OWNERSHIP OF AFFILIATES
OF AIR CARRIERS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 7th day of November 1944.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 407 (e) thereof, and deeming its action necessary to carry out the provisions of said act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective November 7, 1944, paragraph (c) of § 280.2 of the economic regulations is hereby amended to read as follows:

§ 280.2 Reports of stock ownership of affiliates of air carriers. \* \*

(c) Exceptions for air carriers and officers or directors of air carriers. The reports required in paragraph (b) need

not be filed as of December 31 of any year by any such affiliate:

(1) If such affiliate is an air carrier required to file a report as of December 31 of the same year, pursuant to section

407 (b) of the act; or

(2) If such affiliate is an individual required to file a report as an officer or director of any air carrier, on or before March 1 of the following year, pursuant to section 407 (c) of the act; Provided, however, That if between said December 31 and March 1 of the following year, any such individual should be relieved of the requirement of filing said report as an officer or director of any air carrier, then the exception herein created shall immediately terminate as to said individual, and said individual shall file, on or before April 1, the report required in paragraph (b) (2) hereof.

(Sec. 205 (a), 52 Stat. 984, 49 U.S.C. 425 (a); sec. 407, 52 Stat. 1000, 49 U.S.C. 487)

By the Civil Aeronautics Board.

[SEAL]

FRED A. TOOMBS, Secretary.

[F. R. Doc. 44-17202; Filed, Nov. 10, 1944; 11:15 a. m.]

# TITLE 17—COMMODITY AND SECU-RITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—RULES AND REGULATIONS, SE-CURITIES EXCHANGE ACT OF 1934

RATIO OF AGGREGATE INDEBTEDNESS TO NET CAPITAL WITH RESPECT TO BROKERS AND DEALERS

The Securities and Exchange Commission, deeming it necessary for the exercise of the functions vested in it and necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 15 (c) and 23 (a) thereof, hereby amends paragraph (b) of \$240.15c3-1 [Rule X-15C3-1] (9 F.R. 9882) as follows:

§ 240.15c3-1 Ratio of aggregate indebtedness to net capital. \* \* \*

(b) Exemptions. The provisions of

this rule shall not apply to:

(1) Any broker or dealer who (i) does not extend credit to any person to whom he sells or for whom he purchases any securities, and (ii) does not carry money or securities for the account of customers or owe money or securities to customers, except as an incident to transactions with or for customers which are promptly consummated by payment or delivery: Provided, That credit shall not be deemed to be extended by reason of a bona fide delayed delivery of any such

security against full payment of the entire purchase price thereof upon such delivery within thirty-five (35) days after

such purchase; or

(2) Any member of the Boston Stock Exchange, Chicago Stock Exchange, Cleveland Stock Exchange, New York Curb Exchange, New York Stock Exchange, Pittsburgh Stock Exchange, Salt Lake Stock Exchange or San Francisco Stock Exchange, all of whose rules and settled practices are deemed by the Commission to impose requirements more comprehensive than the requirements of this rule: Provided, That the exemption as to the members of any exchange may be suspended or withdrawn by the Commission at any time, by sending at least ten (10) days' written notice to such exchange, if it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do.

Effective November 9, 1944.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 44-17197; Filed, Nov. 10, 1944; 10:44 a. m.]

# TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 335]

PART 407—TREASURY DIVISION SIGNATORIES

Section 407.15 (9 F.R. 11575) shall be amended by deleting the last sentence of the first paragraph of the section and substituting in lieu thereof the following:

§ 407.15 Signatories. \* \*

In the New York Region the Assistant Comptroller and the Assistant Regional Treasurer are authorized individually to disburse funds from and sign checks either in person or by facsimile signature drawn on the Regional Working Fund maintained with the Treasurer of the United States for the New York Region.

Effective: November 9, 1944.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

[SEAL]

J. FRANCIS MOORE, Secretary.

[F. R. Doc. 44-17181; Filed, Nov. 9, 1944; 2:03 p. m.]

#### TITLE 32-NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

[Amdt. 250]

PART 801-GENERAL REGULATIONS

REFUNDS OF SUBSIDY PAYMENTS

Paragraph (d) Schedule A of § 801.16 Refunds of subsidy payments is hereby amended by striking out the schedules of refunds to be made by exporters of dry edible beans headed "Dry Edible Beans 1943 Crop" and "Dry Edible Beans, 1943 Crop, purchased on or after August 3, 1944 on basis of Second Revised Maximum Price Regulation No. 270" and substituting therefor the following schedule of refunds to be made by exporters of the following classes of dry edible beans of the 1943 or the 1944 crop.

#### SCHEDULE A-1

DRY EDIBLE BEANS

[1943 and 1944 crops]

Subsidy Payment and Refund Required Per Cwt. (U. S. CHP, U. S. Extra No. 1, U. S. No. 1, U. S. No. 2)

	1 100
Class:	100
Pea and Medium White	. \$0.45
Great Northern	45
Small White	45
Flat Small White	45
Pinto	35
Pink	25
Small Red	45
Cranberry (Other than Western)	. 35
California Blackeye	
Baby Lima	
Red Kidney	

<sup>1</sup> Applies also to U. S. No. 3 grade California Blackeye beans.

This amendment shall be effective on and after November 24, 1944, except that any certificate of subsidy clearance issued prior to November 24, 1944 on the basis of the rates previously indicated shall continue to be valid after such date.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: November 7, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-17200; Filed, Nov. 10, 1944; 11:08 a. m.]

[Amdt. 248]

PART 802-GENERAL LICENSES

MAIL SHIPMENTS

Section 802.25 General License "G-POST" is hereby amended in the following particulars:

1. Paragraph (b) of § 802.25 is hereby amended to read as follows:

(b) A general license designated "G-POST" is hereby granted, subject to the provisions of paragraphs (c) and (d) of

this section.

(1) Authorizing the exportation to any of the destinations listed below in Groups I, II and III of all articles and materials, except those listed in paragraph (d) of this section, when contained in individual mail shipments weighing not more than eleven (11) pounds gross and having a net value of \$25.00 or less: Provided, That not more than one parcel or package per week may be mailed by or on behalf of the same person or concern to or for the same addressee (the naming of address-

ees other than known ultimate addressees for the purpose of evading this general license is prohibited).

#### GROUP I

Khorya-Morya Island Anglo-Egyptian Lebanon Sudan Libya Arabia (Saudi) Palestine British Somaliland Perim Island (Aden) Saudi Arabia Cyprus Egypt Eritrea Ethiopia French Somaliland (Fr. Somali Coast) Iran Iraq Italian Somaliland

Sokotra Island (Aden) Sudan, Anglo-Egyptian Syria Trans-Jordan Yemen

GROUP II

French North Africa. French West Africa. Corsica.

Kamaran Island

(Aden)

GROUP III

Eire. Turkey.

(2) Authorizing the exportation to the destinations listed below in Group IV of all articles and materials, except those listed in paragraph (d) of this section, when contained in individual mail shipments weighing not more than four (4) pounds gross having a net value of \$25.00 or less and having a combined girth of not more than thirty-six (36) inches: Provided, That not more than one such parcel or package per month may be mailed by or on behalf of the same person or concern to or for the same addressee (the naming of addressees other than known ultimate addressees for the purpose of evading the limitations of this general license is prohibited).

GROUP IV

Rome (Italy). Vatican City.

Naples (Italy) Palermo (Sicily).

- 2. Paragraph (c) of § 802.25 is hereby amended to read as follows:
- (c) Mail exportations to destinations in Groups II and IV are limited to shipments of goods sent as gifts or for sample purposes. For the purpose of this general license shipments of gifts or samples shall include only those shipments made without the expectation or requirement that compensation for the goods be paid by the addressee or any other person.
- 3. The first sentence of paragraph (d) of § 802.25 is hereby amended to read as follows:
- (d) Individual mail shipments of the commodities listed below to any destination in Groups I, II and IV shall not exceed the net value limit specified opposite each such commodity in such list.
- 4. This amendment shall be effective as of November 6, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No.

20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: November 7, 1944.

S. H. LEBENSBURGER. Director. Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44-17198; Filed, Nov. 10, 1944; 11:08 a. m.]

[Amdt. 251]

PART 802-GENERAL LICENSES

CHEMICALS, DRUGS, PHARMACEUTICALS AND HEALTH SUPPLIES

Section 802.10 General License "GLV" is hereby amended by striking out subdivision (i) of subparagraph (2) of said section and substituting therefor the following:

(i) All chemicals, drugs, pharmaceuticals and health supplies, with the exception of those commodities listed in subdivision (iii) of this subparagraph and the commodities listed in subparagraph (3) of this paragraph, may be exported under this general license to any destination in Group K where, in a single shipment, the net value of all such commodities classified under a single Schedule B number does not exceed \$100.00. All chemicals, drugs, pharmaceuticals and health supplies, with the exception of those commodities listed in subdivision (iii) of this subparagraph and the commodities listed in subparagraph (3) of this paragraph, may be exported under this general license to any destination in Group G where, in a single shipment, the net value of all such commodities classified under a single Schedule B number does not exceed \$25.00.

(Sec. 6, 54 Stat, 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: November 8, 1944.

S. H. LEBENSBURGER, Director. Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44-17201; Filed, Nov. 10, 1944; 11:08 a. m.]

[Amdt. 249]

PART 811-BLANKET LICENSES "BLT" RADIO RECEIVING TUBES, ETC.; SPECIAL PROVISIONS

Section 811.3 Special provisions is hereby amended in the following par-

- 1. Paragraph (a) of § 811.3 is hereby amended to read as follows:
- (a) The provisions of paragraph (g) of § 804.1 do not apply to applications for blanket licenses for the following commodities:

GROUP I

Commodity: Schedule B. No. Radio receiving tubes\_ 7078.05, 7078.98 Parts and accessories for tracklaying tractors\_\_\_\_7889.01

GROUP II

Commodity: Schedule B. No. Automotive replacement 7092.00, 7921.00, parts \_\_\_ 7923.05, 7926.00, 7927.00

- 2. Paragraph (b) of § 811.3 is hereby amended to read as follows:
- (b) Applications for blanket licenses for the commodities listed in Group I of paragraph (a) of this section may bear the following legend in lieu of the legend prescribed in § 811.2 General provisions:

Application is hereby made to permit the applicant named above to export from the United States to the purchasers and consignees designated on the attached list the articles and materials described, in the quantity given, Provided, That the aggregate quantity of all such exports to the purchasers and consignees named therein does not exceed the total quantity for which the license is granted.

Applications for blanket license for the commodities listed in Group II of paragraph (a) of this section may bear the following legend in lieu of the legend prescribed in § 811.2 General provisions:

Application is hereby made to permit the applicant named above to export from the United States to the purchasers and consignees designated on the attached list the articles and materials described, in the dollar value given, Provided, That the aggregate value of all such exports to the purchasers and consignees named herein does not exceed the total value for which the license is granted.

- 3. Paragraph (c) of § 811.3 is hereby amended to read as follows:
- (c) A person exporting any commodity listed in Group I of paragraph (a) of this section pursuant to any blanket license shall endorse each shipper's export declaration filed with the United States Collector of Customs at the port of exit or with the United States Postmaster at the place of mailing at the time of each exportation under such license with the following certification:

The undersigned represents to the Foreign Economic Administration that the commodities described herein are being exported under the provisions of BLT (Blanket License , approved by FEA (date of validation), and this shipment is made in conformity with the terms of this license with respect to kind of material, quantity, value, foreign consignees and purchasers and all other conditions thereof.

A person exporting any commodity listed in Group II of paragraph (a) of this section pursuant to any blanket license shall endorse each shipper's export declaration filed with the United States Collector of Customs at the port of exit or with the United States Postmaster at the place of mailing at the time of each exportation under such license with the following certification:

The undersigned represents to the Foreign Economic Administration that the commodities described herein are being exported under the provisions of "BLT" (Blanket) License \_\_\_\_, approved by FEA (date of validation) and this shipment is made in conformity with the terms of this license with respect to kind of material, value, foreign consignees and purchasers and all other conditions thereof.

(Signed)

4. The last sentence of paragraph (e) of § 811.3 is hereby amended to read as follows: "Such license shall be held available for inspection at any time by the Foreign Economic Administration. Upon completion of shipment against such blanket license, or upon the expiration of the validity of the license, such license with the endersements thereon as provided in this paragraph and with attachments, if any, shall be returned to the Requirements and Supply Branch, Foreign Economic Administration."

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: November 7, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-17199; Filed, Nov. 10, 1944; 11:08 a. m.]

#### Chapter IX-War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010-SUSPENSION ORDERS

[Suspension Order S-362, Revocation]

MORGAN COUNTY RURAL ELECTRIC
ASSOCIATION

Suspension Order S-362 was issued against Morgan County Rural Electric Association, 423 Main Street, Fort Morgan, Colorado, effective July 8, 1943. An appeal was filed with the Chief Compliance Commissioner, who caused an investigation to be made in the field. The investigation showed that, since July, 1943, the respondent has made a sincere effort to dispose of its excess materials and has reduced the aggregate inventory by about seventy per cent. A large part of the present inventory is not marketable and a practicable minimum working inventory has been reached. The Chief Compliance Commissioner therefore on November 9 directed that Suspension Order S-362 be revoked

In view of the foregoing it is hereby ordered, that: §1010.362, Suspension Order No. S-362 be revoked.

Issued this 9th day of November 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-17187; Filed, Nov. 9, 1944; 4:06 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 15 as Amended Nov. 10, 1944]

#### MILL STOCKS OF STEEL

The following direction is issued pursuant to CMP Reg. 1:

A producer of controlled materials who previously maintained a mill stock of steel products at any location may continue to maintain a mill stock at such location, provided title to such stock has not been transferred to a consumer of steel or a warehouse. A shipment made by a producer from mill stock may be replaced from mill rollings provided such replacement is made of the products for mill stocks shall be within the limits of the current production directives covering the production of such products.

The foregoing does not apply to producerowned stocks of steel products held on consignment by a distributor (as defined in CMP Regulation No. 4). Such stocks are subject to the rules governing warehouses and dealers set forth in CMP Regulation No. 4 and in General Preference Orders M-21-b-1 and

M-21-b-2.

Issued this 10th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-17214; Filed, Nov. 10, 1944; 11:31 a. m.]

### PART 3270-CONTAINERS

[Limitation Order L-232, as Amended Nov. 10, 1944]

#### WOODEN SHIPPING CONTAINERS

§ 3270.56 Limitation Order L-232— (a) Definitions. For the purposes of this order:

(1) "Wooden shipping container" means any new shipping container made wholly or partially of wood which is used for the shipment and delivery of commodities. The term does not include trunks, luggage, military locker boxes, field picking boxes, wooden inner containers, or boxes consisting of more than 50% of corrugated or solid fibre (by area).

(2) A "new shipping container" is one which has never been used for packing any product. The replacement of parts in a used container shall not cause it to become a new one unless new parts are added to replace three or more faces of the container. If three or more faces are replaced with new parts, it becomes a new shipping container subject to the provisions of this order.

#### General Restrictions

(b) Restrictions—(1) Manufacture, sale or delivery of containers. No person shall manufacture, sell or deliver any wooden shipping containers or parts which he knows or has reason to believe will be used or accepted in violation of any provision of this order.

(2) Manufacture and assembly of containers. No person shall commercially manufacture or assemble any wooden

shipping container or any container (even though it is an inner container) defined in paragraph (d) of Table I of Schedule A of this order, for the purposes described in the several tables of Schedule A, which does not meet the specifications contained in those tables. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(3) Manufacture of container parts. No person shall commercially manufacture any wooden parts designed for any wooden shipping container described in the several tables of Schedule A (including those inner containers defined in paragraph (d) of Table I of Schedule A which, when assembled, will not conform with the specifications of those tables. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(4) Coloring. No manufacturer, dealer in, or commercial user of wooden shipping containers or parts shall dye, stain, or otherwise color containers or parts which are described in Schedule A. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or

pails.

(5) Printing. All stamping, printing and labeling, unless otherwise required by law, shall be placed on only one outside surface of any container covered by the several tables of Schedule A of this order, whether it be an end, a side, bottom, top or cover. The restrictions of this paragraph (b) (5) shall not apply to barrels, drums, kegs, kits or pails or to paper, labels or markings which only:

 (i) State the capacity of the container in terms of whole or fractional pints,

quarts, pecks, or bushels; or

(ii) in the case of baskets and hampers are identifying markings provided for in regulations of the Secretary of Agriculture issued under the United States Standard Container Act of 1928; or

(iii) are designed for the purpose of encouraging salvage and reuse of the container, provided the label or printing does not include the name, brand, trade-mark or other reference to any person, firm, partnership or corporation. Restrictions on Packing and Shipping

(c) Restrictions — (1) Commodities for which wooden shipping containers are forbidden. No person shall commercially pack or ship in wooden shipping containers any of the commodities listed in Table I of Schedule B. This shall not, however, restrict the shipment of any commodity listed which has already been packed on the date it was included in this table or the shipment of any listed commodity in wooden shipping containers which were in the shipper's inventory or in transit to him on the date it was included in this table, but only for a period of sixty days thereafter.

(2) Quota restriction on packing. Packers of a commodity listed in Table II of Schedule B, are restricted in the quantity of that commodity which they may pack in wooden shipping containers in each calendar quarter to a percentage of the quantity that they packed in

wooden shipping containers in the same quarter of the base period. The percentage and base period for each commodity are shown in the table.

### Exceptions

(d) Containers made from waste materials or second hand lumber. None of the restrictions of this order shall apply to a container made by a container user for his own use from waste material referred to as edgings, trim, or off-fall and excluded from the definition of lumber in Order L-335, or from second-hand lumber, provided the container is not made in a box factory or woodworking establishment which sells its product to other users. Second-hand lumber is lumber which has been previously used, as in building construction, or as dunnage in bracing, blocking or shoring, or in the construction of shipping containers.

Note: Paragraphs (e), (f), (g) and (h) formerly paragraphs (f), (g), (h) and (i) redesignated, Nov. 10, 1944.

#### Miscellaneous

(e) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(f) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Containers Division, Washington 25, D. C., Ref.: L-232.

(h) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

Issued this 10th day of November 1944.

WAR PRODUCTION BOARD. By J. JOSEPH WHELAN, Recording Secretary.

SCHEDULE A-SPECIFICATIONS FOR WOODEN SHIPPING CONTAINERS

TABLE I-HAMPERS, BASKETS, BERRY CUPS FOR FRESH FRUITS AND VEGETABLES

(a) Specifications for the types and dry capacities of permitted hampers, baskets, and berry cups are as follows:

Type—(1)	Dry capacity (2)
1. Hampers	1/2, 5/8, 1 bu.
2. Round stave baskets.	½, 1 bu.
3. Splint baskets	8, 12, 16, 24, 32 qts.
4. Climax baskets	1 2 3 4 mts
6. Berry cup	½, 1 pt., 1 qt.

(b) Exceptions. The restrictions of paragraphs (b) (2), (3), (4) and (5) of this order and of paragraph (a) of this table shall not

(1) The manufacture or assembly of wooden shipping containers referred to in this Table by any person from wooden parts cut to size by him before March 4, 1943, provided such manufacture or assembly is completed by August 31, 1943;

(2) The assembly of wooden shipping containers referred to in this table by any person from cut-to-size wooden parts bought and received by him before April 1, 1943, provided such assembly is completed by August 31, 1943.

(3) The assembly of containers purchased in flat or knock-down form from the surplus

stocks of government agencies, or the coloring, printing, or labeling of such containers. (c) Exemption for banana hampers. restrictions of this Table I shall not apply to

hampers used for the shipment of bananas, (d) "Hamper", "round stave basket", and "splint basket" have the same meanings as in rules and regulations 1 of The Secretary of Agriculture issued under the United States Standard Container Act of 1928.2 "Climax Standard Container Act of 1928.<sup>2</sup> "Climax basket", "till basket", and "berry cup" mean baskets and containers of the type subject to rules and regulations of The Secretary of Agriculture issued under the United States Standard Container Act of 1916, as amended.

TABLE II-WOODEN SHIPPING CONTAINERS FOR FRESH FEUIT AND VEGETABLES

Usual name	Inside depth (inches)	Inside width (inches)	Inside length (inches)
(1)	(2)	(3)	(4)
1. Apple box 2. Apple box 3. Apple box	10346	111/6	18. 16. 17.
4. Apricot lug	456	12½	16. 2056. 179/6 or 18 1754. 1634.
8. Asparagus crate. 9. Avocado box. 10. Berry crate. 11. Berry crate. 12/ Berry crate.	234 2916 314 or 376	1832 1635 1334 1334	16. 2114. 18.
13. Berry crate 14. Berry crate 15. Berry crate 16. Berry crate 17. Berry crate	9 or 9½ 7½ 9	9	18, 22, 22, 2114 to 22.
17. Bushel crate 18. Cantaloupe pony crate 19. Cantaloupe standard crate 20. Cantaloupe jumbo crate 21. Cantillower crate	11	12	18, 22, 22, 22, 2156 to 22,
22. Canliflower crate	1276 20	14½ 11 16 16	23. 2056. 1934 to 20, 22.
26. Celery crates	576	18	1234 1274 14. 22. 17.
29c. Celery crates. 27. Cherry, apricot, prune lug. 28. Cherry, apricot, prune lug. 29. Cherry, apricot, prune lug. 30. Cranberry hoy.	334	101/2 101/4 101/4 101/2 101/4	17. 14. 14. 15. 15.
30. Cranberry box. 31. Cranberry box. 31a. Date box. 32. Fig box. 33. Fig box.	914 276 176 3	11 13½ 11 11½	1315/16, 16. 16.
*34. Fruit box. *35. Fruit box. *36. Fruit box. *37. Four-basket crate.	4 4)4 51 4)4	11½ 11½ 11½ 11½ 16	16, 16, 16,
*38, Four-basket crate *39, Four-basket crate *40, Four-basket crate 41, Honey dew standard crate 42, Honey dew jumbo crate	434 57 634 734	16	16. 16. 16. 22. 22.
43. Lemon box 44. Lettuce crate. 45. Lime box.	9%	13	25. 2156 to 22. 12. 16.
*47. Lug box.  *48. Lug box.  49. Melon crate.  50. Melon crate.	434 334 634 734	13½ 13½ 12 14	16. 16. 22. 22. 24.
51. Orange and grapefruit box. 52. Orange and grapefruit box. 53. Half orange and grapefruit box. 54. Pear box. 55. Half pear box. *56. Pear lug.	111/6	1134 12 934 1134 1135	24. 19. 18. 18.
58. Produce box (1 bushel) 59. Produce box (½ bushel)	636	1334 11 1714 1286	2056. 22. 1716. 1236.
60. Pineapple crafe 61. Rhubarb box 62. Rhubarb box 63. Sweetpotato crate	10½	12 11½	33. 2456. 2456. 15 top.
64. Sweetpotato crate	12 13 9 8	13½ Bottom	16 bottom. 1634. 2156 to 22. 2156 to 22. 22.
67. Vegetable crate	714	15 or 1514	1834.

\*Wherever an asterisk appears, cleats may be used for such items, as provided for in paragraph (c) of the text of Table II.

\*U. S. Department of Agriculture Service and Regulatory Announcements No. 116, as amended.

\*45 Stat. 685; 15 U.S.C. 257.

\*U. S. Department of Agriculture Service and Regulatory Announcements No. 104, revised.

\*439 Stat. 673; 15 U.S.C. 251.

\*45 Stat. 930; 15 U.S.C. 251.

\*46 Stat. 930; 15 U.S.C. 251.

\*The inside depth of this box may be increased up to 11½", either by the addition of cleats of any thickness or by the use of a solid end.

\*The inside depth of this box may be increased up to 5½" by the addition of cleats of any thickness or by the use of a solid end.

\*The inside depth of this box may be increased up to 7½6" by the addition of cleats of any thickness or by the use of a solid end.

(a) The designation in column (1) of Table II is merely for identification and shall not be construed as restricting usage. 'Inside width' and 'Inside depth' of the container are the width and length, respectively, of the end pieces or end frames, exclusive of any clear. 'Inside length' of the container any cleats. 'Inside length' of the container shall be its outside length minus the combined thickness of both ends and of the center piece (if any).

(b) An optional variation of up to 1/4" under or up to 1/4" over the specified inside lengths is allowed. A tolerance of up to 1/8", plus or minus, in the specified inside depths and inside width is allowed for shrinkage

and manufacture.

(c) No cleats may be so used as to increase inside dimensions except where an asterisk appears in Column (1) of Table II or where, appears in Column (1) of Table II or where, and as, specified in any footnote after that table. Where an asterisk appears in Column (1) of Table II, one or more cleats of ¼", ¾", ½", ½", ½", ½", ½", ½", 1½6", or ¾" thickness may be attached to the top of each end piece, or end frame, provided such cleat or cleats do not increase the inside dimensions of the connot increase the inside dimensions of the container by more than the specified thickness of the cleat or cleats.

(d) Exceptions. (1) The restrictions of paragraphs (b) (2), (3), (4) and (5) of this order and of this Table II shall not apply to:
(i) The manufacture or assembly of wood-

en shipping containers by any person from wooden parts cut to size by him before March 4, 1943; provided, such manufacture or assembly is completed by August 31, 1943: (ii) The assembly of wooden shipping con-

tainers by any person from cut-to-size wooden parts bought and received by him before April 1, 1943; provided, such assembly is completed

by August 31, 1943;
(iii) The assembly of containers purchased in flat or knock-down form from the surplus stocks of government agencies, or the coloring, printing, or labeling of such containers.

(2) The restrictions of this Table II shall not apply to the manufacture or assembly of wooden shipping containers, or the manufacture of wooden parts for wooden shipping containers, to be delivered:

(i) To or for the account of the Army, the Navy, the Coast Guard, the Maritime Commission, the War Shipping Administration, the Veterans Administration, or the Department of Agriculture (for Lend-Lease purposes), provided, the government agency's specifications require wooden shipping containers which do not comply with Table II.

(ii) To any person for use in packing fresh

fruits or vegetables for delivery to or for the account of such government agencies; pro-vided, the government agency's specifications require wooden shipping containers which do not comply with Table II; and provided further, such person furnishes the container or container-parts supplier with a written certification in substantially the following form, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7:

"This is to certify that specifications of orders received by the undersigned from (designate government agency) require wooden containers not conforming with Order L-232. The material ordered herewith is for that purpose only.

Company	
Ву	
Title	Date

Such certification shall constitute a representation to the supplier and to the War Production Board as to the truth of the facts stated therein. The supplier may rely upon such representation unless he has knowledge or reason to believe that it is not true.

TABLE III-WOODEN SHIPPING CONTAINERS FOR DRESSED CHICKENS & TURKEYS

Chicken boxes (approximate weight)	Inside length (inches)	Inside width (inches)	Inside depth (inches)
101, 36 lbs 102, 42 lbs 103, 48 lbs 104, 54 lbs 105, 60 lbs 106, 72 lbs	18 19 20 21 22 22 24	14 1416 1512 1614 17 18	714 714 714 714 734 8 8
TURKEY BOXES  111. Small 112. Large 113. Very large 114. West Coast.	28 32 31 30	24 28 19 22	614 714 8 814

(a) Exceptions. The restrictions of paragraph (b) (2), (3), (4) and (5) of this order and of this Table III shall not apply to:

The manufacture or assembly of wooden chicken and turkey boxes by any person from wooden parts cut to size by him before

from wooden parts cut to size by him before July 30, 1943, provided such manufacture or assembly is completed by September 30, 1943;

(2) The assembly of wooden chicken and turkey boxes by any person from cut-to-size wooden parts bought and received by him before August 15, 1943, provided such assembly is completed by September 30, 1943.

(3) The assembly of containers purchased

in flat or knock-down form from the surplus stocks of government agencies, or the coloring, printing, or labeling of such containers.

SCHEDULE B-RESTRICTIONS IN USE OF WOODEN SHIPPING CONTAINERS

TABLE I-COMMODITIES WHICH MAY NOT BE SHIPPED IN WOODEN SHIPPING CONTAINERS

Note: Table I amended by adding new subparagraph (4) and redesignating former subparagraph (4) to subparagraph (5).

(a) The restrictions of this Table I shall not apply to (1) shipments to or for the account of the Army or Navy of the United States, or shipments to military exchanges (as defined in Priorities Regulation No. 17) located outside the 48 states, the District of Columbia and Canada, (2) shipments to be delivered ultimately outside the 48 states of the United States, the District of Columbia and Canada, (3) shipments of stores for shipboard use on ocean-going vessels, (4) shipments to or for the account of the Veterans Administration, (5) shipments in wooden barrels, kegs, drums, kits or pails, except in the case of soda ash, bicarbonate of soda, and salt.

(b) Whenever the letter "b" appears after a commodity in this list, the restriction applies to this commodity only when packaged in glass, textile, metal or paper.

(c) Soda ash and bicarbonate of soda were included in Table I on July 23, 1943 and all the other commodities were added on October 25, 1943.

(d) The headings used in this table are only for the purpose of separating the items into groups of similar commodities.

#### **Building Materials**

- 1. Asphalt roofing (rolls or shingles), siding and tiles
- 2. Brick, except fire and glass
- 3. Cement b
- 4. Cork (except pipe covering and slabs)
- 5. Mineral wool, except slabs, blocks, batts and insulation (formed, metal encased)

- 6. Plaster, cement lime, gypsum (this does not include dental, orthopedic and industrial mold grades)
- 7. Roof coatings and cements b 8. Steel sash and windows

Foods (Fresh Vegetables Are Listed as Items 38-43 and Animal Foods, Item 101)

9. Bakery goods, except in multiple trip returnable containers

10. Baking powder

11. Candy or confectionery

12. Canned and glassed foods or food products

13. Cereals, prepared 14. Chocolate

- 15. Cocoa 16. Coffee
- 17. Condiments b
- 18. Corn starch b
- 19. Dessert powders
- 20. Flours, prepared products
- 21. Food seasoning, coloring and related products 1
- Fruit and vegetable juices b
- 23. Gelatins b
- 24. Horseradish products b
- Ice cream cones
- Macaroni b
- 27. Mayonnaise and salad dressing b
- Noodles b
- 29.
- Nuts, edible Peanut butter and peanuts
- 31. Popcorn
- 32. Potato chips
- 33. Rice 34. Salt
- 35. Spaghetti b
- Spices (except mustard flour, ground cloves, ground mace and ground nutmeg)
- 37. Tea

#### Fresh Vegetables

- 38. Cabbage
- 39. Corn, green
- 40. Onions, dry 41. Potatoes, white
- 42. Rutabagas
- 43. Turnips, root

### Glass Products

- 44. Jars, home canning
- 45. Ornaments and decorations

# Hardware

- 46. Buckets and pails (wood or metal)
- 47. Handles, wooden, for hand tools 48. Wash tubs, wood or metal

# Horticultural Items

- 49. Flowers, flower seeds, and flower plants 50. Shrubs, ornamental or cuttings
- 51. Trees, ornamental or cuttings

#### Leather Products

- 52. Belting butts
- 53. Bridles
- 54. Harnesses
- 55. Horse collars 56. Novelties
- 57. Pocketbooks
- 58. Saddles
- 59. Suitcases
- 60. Traveling bags-all kinds
- 61. Trunks
- 62. Whips and crops

# Paper Products

- 63. Advertising displays-counter, window or
- 64. Albums
- 65. Announcements
- 66. Calendars

	FEDER
	67. Catalogues 68. Greeting cards
	69. Illustrated post cards
No.	70. Magazines, including house organs
	71. Novelties
	72. Posters
	73. Punch boards
	Textiles (Except Clothing)
	74. Awnings
	75. Blankets
	76. Comforters 77. Mattresses
	78. Rope, string and twine
	79. Tents
	Miscellaneous
	80. Adhesives or cements, household
	81. Appliances, electric, domestic (except
	stoves, refrigerators, washing machines and mangles)
	82. Art supplies
	83. Ash trays
	84. Baskets
	85. Bed springs
	<ol> <li>Beverages, carbonated, malt or alcoholic and concentrates, except in multiple</li> </ol>
	trip returnable containers.
	87. Bicarbonate of soda
	88. Brushes and brooms
	89. [Deleted Jan. 3, 1944] 90. Candles, except for religious purposes
	90. Candles, except for religious purposes 91. Ceramics, ornamental
	92. Charcoal, except activated carbon
	93. Cigars and cigarettes
	94. Combs
	95. Cosmetics
	96. Dentifrices 97. Depilatories
	98. Dry cleaning preparations, household
	99. Electric light bulbs
	100. Fertilizers
	101. Food, animal and pet
	102. [Deleted Jan. 8, 1944] 103. Hair, dressing and dyes, shampoos and
	tonics
	104. Hats, millinery
	105. Heels and soles, footwear
	106. Hose, rubber and fabric except wire im-
	bedded
	107. Jewelry
	108. Mops 109. Ornaments, made of glass, plastic, pot-
10	tery, china, metal, wood, paper or
	leather
	110. Paint and paint products b
	111. Peat moss
	112. Pens and pencils
	113. Perfumes and toiletries 114. Polishes b
	115. Scouring and cleaning compounds and
	detergents (does not include liquid
	detergents (does not include liquid acidic materials shipped in carboys
	with a capacity of 5 gallons or more)
	116. Shoes 117. Soap b
	118. Soda ash
	119. Sporting goods
	120. Starch b
	121. Tobacco b
	122. Toys and games
	123. Varnishes b
	124. Waxes b
	TABLE II-COMMODITIES WHOSE PACKING AND
	SHIPPING IN WOODEN SHIPPING CONTAINERS IS
	RESTRICTED
	Miscellaneous Products
	Quota based on 1942
	Commodity: Calendar year (percent)
	10. Animal proprietary drug remedies 65
	11. Books 80

Carpets \_.

13. China and glassware (except vitrifled

15. Glass tableware and glass kitchen

14. Clothing, except shoes\_\_\_

articles\_\_\_\_

No. 226-2

for commercial use) \_\_\_\_\_

Miscellaneous Products-Con.

ornamental) 80
20. Printing and publishing products,
except those listed elsewhere 80
21. Rugs 80
22. Tile (floor, wall, facing, glazed or unglazed) 80

19. Pottery products, household (except

Note: Notes 1 and 2 deleted June 30, 1944.

NOTE 3. The base period and quota period quantities of a commodity shall be determined by weight, volume or count of that commodity packed for shipment or shipped in wooden shipping containers, or by the board footage content of the wooden shipping containers required. The same measure shall be used in both the base period and quota period quantities for any commodity.

Note 4. Exceptions. No person shall be bound by quota restrictions contained in paragraph (c) (2) applicable to any commodity during any calendar year or seasonal year, whichever is specified, during which he neither packs nor ships more than one carload or 30,000 pounds of that commodity, whichever is the lesser.

[F. R. Doc. 44-17215; Filed, Nov. 10, 1944; 11:31 a. m.]

#### PART 3270-CONTAINERS

[Supplemental Order L-232-a, Revocation]

WOODEN SHIPPING CONTAINERS FOR ORANGES
AND GRAPEFRUIT

Section 3270.58 Supplemental Order L-232-a is hereby revoked. This revocation does not affect any liabilities incurred under the order. The manufacture and delivery of wooden shipping containers are subject to Limitation Order L-232 and to all other applicable regulations and orders of the War Production Board.

Issued this 10th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-17218; Filed, Nov. 10, 1944; 11:31 a. m.]

PART 3290—Textile, CLOTHING AND LEATHER

[Conservation Order M-298, Revocation]

#### BLANKETS

Section 3290.291 Conservation Order M-298 is revoked. This revocation does not affect any liabilities incurred under this order. The manufacture of blankets remains subject to all other applicable

regulations and orders of the War Production Board.

Issued this 10th day of November 1944.

War Production Board, By J. Joseph Whelan, Recording Secretary.

[F. R. Doc. 44-17216; Filed, Nov. 10, 1944; 11:31 a. m.]

#### PART 3290—TEXTILE CLOTHING AND LEATHER

[General Conservation Order M-310, Gen. Direction 1, as Amended November 10, 1944]

CHANGE IN PERCENTAGE OF MANUFACTURERS'
BENDS TO BE SET ASIDE

The following amended direction is issued pursuant to General Conservation Order M-310:

General Direction 1 to General Conservation Order M-310 is hereby amended to read as follows:

The percentage of manufacturers' bends to be set aside under paragraph (e) (2) is changed to 15% beginning with November 1944.

Issued this 10th day of November 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-17217; Filed, Nov. 10, 1944; 11:31 a. m.]

Chapter XI-Office of Price Administration

PART 1305—ADMINISTRATION [Supp. Order 99]

SPECIFIED KNITTED UNDERWEAR GARMENTS
MANUFACTURED PURSUANT TO DIRECTION
OF THE WAR PRODUCTION BOARD

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended. Executive Orders 9250 and 9328, and with the approval of the Director of the Office of Economic Stabilization, it is hereby ordered, that:

§ 1305.127 Adjustment of ceiling prices for specified knitted underwear garments manufactured pursuant to direction of the War Production Board—(a) Who may apply. Any manufacturer required to produce any garment of knitted underwear by direction of War Production Board, pursuant to General Direction No. 1 to Conservation Order No. 4-328, issued June 8, 1944, may apply for an adjustment of his ceiling price on such garment.

(b) Amount of adjustment. Existing ceiling prices will be adjusted as follows when and to the extent that existing

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

ceiling prices are found by the Office of Price Administration to be lower than:

(1) A price equal to the total unit cost of the garment plus 2% of such cost if current net profits before taxes (computed in relation to net worth) realized by the applicant from his total operations is less than 6.5%, or less than double the average percentage realized during the years 1936 to 1939, inclusive.

(2) A price equal to the total unit cost of the garment if current net profits before taxes (computed in relation to net worth) realized by the applicant from his total operations is 6.5% or over, or double or more than double the average percentage realized during the years 1936 to 1939, inclusive.

(c) Filing of applications. Applications must be filed with the Consumer Goods Price Division, Office of Price Administration, Washington 25, D. C., in accordance with Subpart B of Revised Procedural Regulation No. 1, and must contain, unless the data is on file with the Office of Price Administration:

(1) Balance sheets and profit and loss statements for the years 1936-1939, inclusive, the most recent calendar or fiscal year, and the most recent interim period; and

(2) A statement in detail of the applicant's total current unit cost (material, direct labor, indirect labor, factory overhead, selling and administrative expense, in accordance with applicant's usual accounting practice) for the garment for which an adjustment is being sought.

(d) Denial of applications. An application may be denied, notwithstanding the standards in paragraph (b), if price relief under an alternate method has been provided for the applicant or his industry or if the Price Administrator determines that granting the application would not accord with the purpose of the directive issued by the Director of the Office of Economic Stabilization on November 16, 1943, and any supplements or amendments thereto.

This Supplementary Order No. 99 shall become effective November 9, 1944.

NOTE: The reporting requirements of this supplementary order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of November 1944.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I hereby approve the issuance of this Supplementary Order and find that it is necessary to aid in the effective prosecution of the war.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-17189; Filed, Nov. 9, 1944; 4:40 p. m.] PART 1340—FUEL [MPR 88,1 Amdt. 20]

FUEL OIL, GASOLINE AND LIQUEFIED PETRO-LEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 88 is amended in the following respects:

1. The last unnumbered paragraph of section 1.1 is amended to read as follows:

Crude petroleum when sold: (1) to a processor for use as gas enrichment oil, (2) to a tank wagon reseller by sellers other than crude oil producers for resale to a consumer for a purpose other than the production of more than one petroleum fraction therefrom, or (3) to a consumer for a purpose other than the production of more than one petroleum fraction therefrom: Provided, however, This regulation shall not be applicable to sales of crude petroleum to a refiner or to a person using such crude petroleum in oil and gas field operations.

- 2. Section 1.14 (e) is amended to read as follows:
- (e) "Tank wagon price" means a particular delivered at destination price level. It is customarily charged to service station dealers and also to consumers who purchase in lots larger than are customarily sold at service stations and other retail establishments but in smaller quantities than tank cars or other special large lot quantities. However, if at a particular bulk plant or marine terminal the operator thereof, in the 60-day period preceding October 15, 1941, customarily charged the tank wagon price to consumers who picked up their supply at such bulk plant or marine terminal then the operator thereof may continue to charge the tank wagon price to a purchaser of such class at the particular bulk plant or marine terminal.
- 3. Section 1.14 (g) is amended to read as follows:
- (g) "Retail establishment" means a store, shop, garage, service station or other stationary place of business at which the major portion of the sales of petroleum products are sold in small quantities to consumers at retail.
- 4. Section 1.14 (j) (2) is amended to read as follows:
- (2) A marketer shall be regarded as an "eligible marketer" in either of the following cases:
- (i) If in the 60-day period preceding January 15, 1944 he was engaged in the business of marketing or broking petroleum products covered by this regulation

19 F.R. 1783, 2476.

and was maintaining an office therefor, Refiners, bulk plant or terminal operators or any corporation in whole or part owning or owned by one of the foregoing shall not be regarded as eligible marketers under this provision.

(ii) If upon application in writing and for good cause shown he is granted the status of eligible marketer by order in writing of the Price Administrator or his duly authorized representative.

- 5. Section 1.14 (k) (2) is amended to read as follows:
- (2) A broker shall be regarded as an "eligible broker" in either of the following cases:
- (i) If in the 60-day period preceding January 15, 1944 he was engaged in the business of a broker in or marketer of petroleum products covered by this regulation and was maintaining an office therefor. Refiners, bulk plant or terminal operators or any corporation in whole or part owning or owned by one of the foregoing shall not be regarded as eligible brokers under this provision.

(ii) If upon application in writing and for good cause shown he is granted the status of eligible broker by order in writing of the Price Administrator or his duly authorized representative.

6. Sections 2.6 (a), (b), (c), (d), (e) and (f) are revoked.

- 7. Section 2.6 (g) is renumbered section 2.6 (a) and in that part of the section which precedes subparagraph (1) the words "for kerosene, No. 1 fuel oil and range oil and" are inserted to follow the word "prices."
- 8. In section 2.6 (a) (1) the entire section except for the heading is renumbered section 2.6 (a) (1) (ii) and to such new section is added the following heading: For Nos. 2, 3 and 4 distillate fuel oils.
- 9. Section 2.6 (a) (1) (i) is added to read as follows:
- (i) For kerosene, No. 1 fuel oil and range oil.

		-	
Township or city	F.o. b. ter- minals loaded into tank cars or transport trucks (cents per gallon)	Loaded into buyers' tank wa- gons (cents per gallon)	in quanti- ties of 10
Bethany		7.8	11.3
Bethel		8.2	11.3
Bloomfield		8.0	10. 5 11. 3
Branford Bridgeport City	**************************************	7.8	11.3
Bridgewater	4.0	8.2	11.3
Bristol City	***********	8.3	TORSON AND ADDRESS OF THE PARTY
Brookfield		8.2	11.3
Cheshire		8.4	11.6
Chester		8.0	*********
Cromwell	7.7	8, 0 8, 2	11.8
Danbury	7 4	7.7	8.0
Darien East Hartford	7.7	8.0	10.8
East Haven	7.5	7.8	11.3
Faston	PATRONIA DE CESTO	7.8	11.3
East Windsor		8.0	10.5
EssexFairfield	7.7	8,0	11.3
Clastophuru		7, 8 8, 0	
Glastonbury Greenwich	7.4	7.7	8.0
Greenwich	7.6	7.9	10.4
	4.0	110	-

<sup>\*</sup>Copies may be obtained from the Office of Price Administration,

Township or city	F.o. b. ter- minals loaded into tank cars or transport trucks (cents per gallon)	Loaded into buyers' tank wa- gons (cents per gallon)	Loaded into containers in quanti- ties of 10 gallons or less (cents per gallon)
			100
Hamden		7.8	11.3
Hartford City	7.7	8.0	10.5
Handen Hartford City Killingly		7.8 8.0 8.2	
Manchester	7,7	8.0	10.5
Killingly. Manchester. Middlebury. Middlebury. Middletown. Milford. Monroe.		8.4	11.6
Middletown	7.7	8.0	10. 5
Millord Monroe Naugantuck New Briton City New Canaan New Fairfield New Haven City Newington New London City	*********	7.8 7.8	11.3
Monroe		8.4	11.6
Naw Briton City		8.3	11.0
New Canaan		8.0	RESIDENCE SERVICE
New Fairfield	**********	8.2	11.3
New Haven City	7.5	7.8	11.3
Newington		8.0	10.5
New London		1	1000000
City New Milford	7.6	7.9	10.4
New Milford		8.2	11.3
Newton North Branford North Haven	**********	8, 2	11.3 11.3
North Branford.		7.8 7.8	11.3
North Haven		7.8	11.3
North Stoning-	and the same of th	0.0	
North Stoning- ton Norwalk City Norwich City Old Lyme	7 4	8.0 7.7 8.0	
Norwalk City	7.6	80	10.5
Old Lymn	20.0	8.1	10.0
Orange		7.8	11.3
Plainville		8.3	
Portland	7.7	8.0	
Orange Plainville Portland Prospect		8.4	11.6
Fumam		8.3	
Podding	A CONTRACTOR OF THE PARTY OF TH	8. 2 8. 2 8. 0	11.3
Ridgefield Rocky Hill Sherman South Windsor		8. 2	11.3
Rocky Hill	7.7	8.0	
Sherman		8.2 8.0	11.3 10.5
South Windsor		7.7	10.0
Stamford City	7.4	7.7	**********
Stamford Stamford City	1.2	7.7 7.7 7.9 7.8 8.4	10.4
Stratford_ Tarrington City_ Trumbull_		7.8	11.3
Tarrington City		8.4	GO CO TO
Trumbull.		7.8	11.3
Vernon		8.3	
Waterbury City.		8.4	11.6
Vernon Waterbury City. Watertown	*********	8.4	11.6
Weathersfield	7.7	8.0	10. 5
West Hartford		8.0	10.5
West Haven	7. 5	7.8	11.3
Wester		7.8	11.3 11.8
Wilton		7.8 7.7	8.0
Winchester	**********	8.4	0.0
Windsor	de la contraction de la contra	8.0	10.5
Windsor Locks		8.0	10. 5
Wolcott		8.4	11.6
Watertown. Weathersfield West Hartford. West Haven. Westport. Weston. Wilton. Winchester. Windsor Windsor Locks. Wolcott. Woodbridge. Woodbryy.		7.8	11.3
Woodbury		8.4	11,6
The second second	The second second	1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	and the second second

10. Section 2.6 (a) (2) is amended to read as follows:

(2) Maximum tank wagon prices.

Andover 10.6 9.2 Ansonia 10.6 9.1 Ashlord 10.6 9.1 Ashlord 10.6 9.3 Avon 10.6 9.4 Barkhamsted 10.9 9.6 Beacon Falls 10.6 9.1 Berlin 10.6 9.4 Berlin 10.8 9.1 Bethel 10.8 9.1 Bethel 10.8 9.1 Bothelem 10.9 9.3 Bothelem 10.9 9.3 Bothelem 10.5 9.2 Bolton 10.5 9.2 Bolton 10.5 9.2 Bolton 10.5 9.2 Bolton 10.8 9.1 Branford 10.3 9.0 Branford 10.3 9.0 Bridgeport City 10.3 9.0 Bridgeport City 10.8 9.2	Township or city	Kerosene, No. 1 fuel oil and range oil on deliveries of 25 gallons or over (cent's per gallon) <sup>1</sup>	Nos. 2, 3, and 4 distillate fuel oil on deliveries of 100 gallons or over (cents per gallon) <sup>2</sup>
Assiona 10. 6 9. 3 Avon 10. 6 9. 4 Avon 10. 6 9. 4 Barkhamsted 10. 9 9. 6 Beacon Falls 10. 6 9. 1 Bertin 10. 6 9. 4 Betthany 10. 3 9. 0 Bethel 10. 8 9. 1 Bethlehem 10. 9 9. 3 Bloomfield 10. 5 9. 2 Bolton 10. 6 9. 1 Branford 10. 3 9. 0 Branford 10. 3 9. 0	Andover	10, 6	
10.6   3.4	AHSORIA	10.6	
Darking   10.9   9.0	Avon	10.0	
Bestin   10.6   9.1	Barkhamsted	10.0	
Bethany   10. 5   9. 4	Beacon Falls	10.6	
Bethel   10.8   9.1	Derim	10.6	
Bethlehem   10.9   9.3	DUMBRY	10.3	9.0
Detentemen   10.9   9.3	Defriel-	10.8	
Dioomnetd   10, 5   9, 2	Definienem	10.9	
Botrah 10.6 9.1 Branford 10.3 9.0 Bridgeport City 10.3 9.0	Dipomneid	1 10.5	
Branford. 10.3 9.0 Bridgeport City 10.3 9.0	DUITOH	10.5	
Drugeport City 10.3 9.0	DUZUMI	1 10.0	
Bridgeport City 10.3 9.0	Dishlord.	10.3	
	Bridgeport City	10.8	9.0

1 Sellers may add 1.5¢ per gallon on single lot deliveries of less than 25 gallons. 2 Sellers may add .5¢ per gallon on single lot deliveries of less than 100 gallons.

	Township or city	Kerosene, No. 1 fuel oil and range oil on deliveries of 25 gallons or over (cents per gallon)	Nos. 2, 3, and 4 distillate fuel oil on deliveries of 100 gallons or over (cents per gallon)	
1	Drietal	11.0	9.4	1
1	Bristol Brookfield	10.8	9.1	
1	Brooklyn	11.0	9.1	1
1	BurlingtonCanaan	11. 0 10. 3	9.4	1
١	Canterbury	11.0	9.1	100
1	Chaplin	10.6 10.6	9.4 9.2	1 8
1	Cheshire	10.8	9.0	
1	Clinton	10, 5 10, 5 10, 6	9. 2 9. 2 9. 2	
1	Colchester	10.6	9.2	
1	Colbrook	10, 9 10, 6	9.2	
1	Cornwall	10. 9 10. 6	9.3 9.2	
١	Coventry Cromwell	10.5	9.2	
١	Danbury	10.8	9.1	
ı	Darien	10.8	9.1	
1	DurhamEast Granby	10. 5 10. 6	9. 2 9. 2	
1	East Haddam	10.5	9.2	1
1	East Hampton	10. 5 10. 5	9. 2 9. 2	
1	East Haven	10.3	9.0	
1	East Lyme East Windsor	10. 4 10. 5	9.1 9.2	
ı	Eastford	10.6	9.3	
ı	Easton	10.3 10.6	9. 0 9. 3	
ı	Ellington	10.7	9.3	
ı	Essex Fairfield	10. 5 10. 3	9. 2 9. 0	
ı	Farmington	10.6	9.4	
ı	Franklin.	10.6	9.1 9.2	
1	GlastonburyGoshen	10, 5 10, 9	9.6	
ı	GranbyGreenwich	10.6 10.3	9,3	
١	Griswold	10.6	9.1	
١	GrotonGuilford	10, 4	9, 1 9, 0	
1	Haddam	10, 4 10, 5 10, 5 10, 3	9, 2 9, 0	1
1	Hampton	10.6	9.2	
١	Hampton Hartford City Hartland Harwinton	10.5 10.7 10.9	9, 2	1
ı	Harwinton	10.9	9.6	
١	Hebron.	10.6 10.8	9, 2 9, 2	
1	Kent	11.0	9.1	1
1	Killingworth	10. 5 10. 6	9, 2 9, 2	
١	Ledvard.	10.4	9.1	
1	Lisbon Litchfield	10. 6 10. 8	9,1 9,6	ı
ı	Lyme	10. 5 10. 5	9.2	1
ı	Madison Manchester	10, 5	9. 2 9. 2 9. 2 9. 2	ı
١	Mansfield	10, 6 10, 5	9,2	
ı	Marlboro	10.6	9.4	ı
	Middlebury	10.8 10.5	9,3	
ı			9,2	
	Middletown Milford Monroe	10, 5 10, 3 10, 3 10, 6	9.0	
ı		10.6	9.1 9.6	1
ı	Montville  Morris  Naugatuck  New Britain  New Canaan  New Fairfield  New Hartford  New Haven City  New London City  New Miford  Newington  Newiown  Norfolk	10, 9 10, 8 10, 6	9.3	1
i	New Britain	10.6 10.3	9,4	
ı	New Fairfield	10.8	9.1	
ı	New Hartford	10. 9 10. 3	9,6	1
Ī	New London City	10.4	9.1	1
1	New Milford	10. 8 10. 5	9.2	
ı	Newtown	10.8	9.1	ı
1	Norfolk North Branford	10, 3 10, 3 10, 3	9.3	1
	North Canaan	10.3	9.3	1
	North Haven	10.4	9.0	1
	Norwalk	10.3	9.0	
	Norwich Old LymeOld Saybrook	10.5	9.1 9.2 9.2 9.0	1
			9.2	
	Orange	10.6	9.1	
	Plainfield	10. 6 11. 0 10. 6 11. 0 10. 6	9,1	
	Plymouth	11.0	9.3	1
	Oxford Plainfield Plainville Plymouth Pomfret Portland	10.6	9.3 9.2	
	Preston Prospect	10. 5 10. 5	9.2	
	Partman	1 18. 0	9.0	
	Redding Ridgefield Rocky Hill	10.8	9.1	1
	Rocky Hill.	10.8 10.5	9.2	1
	Roxbury	10.8	9.2	1

Roxbury....

Township or city	Kerosene, No. 1 fuel oil and range oil on deliveries of 25 gallons or over (cents per gallon)	Nos. 2, 3, and 4 distillate fuel oil on deliveries of 100 gallons or over (cents per gallon)
Salem	10.6	9.2
Salisbury	10, 3 10, 5	9.3 9.2
Saybrook	10.6	9.2
Seymour	10.6	9.1
Sharon	· 10.3	9.3
Shelton	10.6	9.1
Sherman	10.8	9.2
Simsbury	10.6 10.7	9.2
Somers. South Windsor	10.5	9.2
Southbury		9.1
Southington	10.7	9.4
Sprague	10.6	9.1
Stafford.	10.7	9.4
Stamford	10.3 11.0	9.0
Sterling Stonington	10.4	9.1
Stratford		9,0
Suffield	10.7	9.3
Thomaston	10.8	9.3
Thompson		9.3
Tolland Torrington	10, 6	9.6
Trumbull	10.3	9.0
Union	10.7	9.4
Vernon	10.6	9.3
Voluntown	10.6	9.1
Wallingford	10, 5 10, 8	9.2
Warren Washington	10.8	9.2
Waterbury		9.3
Waterford	10,4	9.1
Watertown	10.8	9.3
West Hartford	10.5	9.2
West Haven Westbrook	10. 3 10. 5	9.3
Weston	10.3	9.0
Westport	10.3	9.6
Wethersfield	10.5	9.1
Willington	10.6	9.3
Wilton	10.3 10.9	9.6
Winchester Windham		9.1
Windsor	10.5	9.5
Windsor Locks	10.5	9.1
Wolcott		9.3
Woodbridge		9.0
Woodstock	10.8	9.3
Troublock	1 20.0	1

- 11. Section 2.8 (b) is amended to read as follows:
- (b) Jacksonville. The maximum price of kerosene f. o. b. refineries and terminals loaded into tank cars shall be 6.55¢ per gallon.
- 12. Section 2.28 (a) (2) is amended as follows:

In the table of wholesale f. o. b. prices the following counties are added to the list of counties and the following prices, applicable as indicated to the added counties, are added to the third price column headed by the caption "Loaded into buyer's tank wagon in single lots of less than 3,000 gallons."

Morris County 7.4 Sussex County 7.5

13. Section 2.30 (d) (1) is amended by inserting "Almond" between Angelica and West Almond in the list of the excepted townships of Allegany County.

14. Section 2.34 (a) is amended by inserting the words "and pipe lines" to follow "motor transports" and by deleting the word "and" which precedes "motor transports."

15. Section 3.4 is amended by correcting the Price Area K description to read as follows:

Price Area K comprises that part of Schedule D area which is within Pennsylvania or 9.2 West Virginia.

16. Section 3.5 is amended as follows: a. The period at the end of the Price Area AA description is changed to a comma and the following is added to fol-

low such comma: "and on and after September 15, 1944, Puerto Rico and the Virgin Islands of the United States."

b. In the Price Area BB description the words "except that for Wyoming opposite gravities 20.0° to 24.9° and 25.0° and above API add only 29¢" are deleted.

17. Section 4.34 (a) (1) is amended by inserting the words "and pipe lines" to follow "motor transports" and by deleting the word "and" which precedes "mo-

tor transports".

18. Section 5.3 is amended by adding the following sentence: "However, a method of determining a maximum price at a particular shipping or delivery point, as set forth above in this section, may not be used by a seller unless such seller prior to September 1, 1944, actually sold and delivered the same product at the same point on the basis of a maximum price so determined."

19. Section 5.4 is amended by inserting in that part of the section which precedes paragraph (a) the words "tank car" be-fore the word "prices."

20. Section 5.5 is amended by inserting in that part of the section which precedes paragraph (a) the words "tank car" before the word "prices."

21. Section 6.1 (a) is amended to read as follows:

(a) On sales to government agencies pursuant to public bidding. (1) If a maximum price is not established at a particular shipping or delivery point under Articles II, III, or IV, then, on a sale to a governmental agency, made pursuant to open and public bidding, a seller may charge either his own maximum price or that of such other bidder. who, among the participants in the same bidding, has the highest maximum price at the particular shipping or delivery point for the same product sold to the same purchaser.

(2) Each bidder whose maximum price is not established under Articles II, III or IV must attach to his bid his own maximum price but may bid any amount

in excess thereof.

22. Section 6.5 (e) is amended to read as follows:

(e) Reductions in maximum prices of gasoline. Except in the cases of maximum tank wagon prices and maximum delivered at destination prices for deliveries in drum lots, the sum of 1/8 of a cent per gallon shall be deducted from maximum prices determined under Article V or established under Article VIII or section 1.9 (c) for regular, housebrand or 72-74 octane ASTM gasoline, or for any automotive gasoline which is governed by the foregoing specifications and/or descriptions.

23. Section 7.4 is amended to read as follows:

SEC. 7.4 In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin-(a) When use of reference seller's maximum tank wagon price is required. Except as

provided in paragraph (b) below, a seller's maximum tank wagon price for a particular grade of gasoline, kerosene, range or stove oil, distillate fuel oil, diesel fuel, or tractor fuel, at a particular point in any of the States of Illinois. Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, or Wisconsin shall be either the reference tank wagon seller's normal price, as posted on October 1, 1941, for the same grade of the particular product at the same point or the sum of said reference seller's maximum tank wagon price for such product at the same point as established under other provisions of this regulation and .7¢ per gallon, whichever is the lower.

(b) When use of reference seller's maximum tank wagon price is not required-(1) For tractor fuel. At any point covered by paragraph (a) above, a seller's maximum tank wagon price for tractor fuel shall be either as determined under such paragraph (a) or as determined under other provisions of the regulation, whichever is higher.

(2) Upon written authorization. Upon application in writing and for good cause shown, a seller may be authorized by order in writing of the Price Administrator or his duly authorized representative to determine his maximum tank wagon price under section 5.2 instead of under paragraph (a) above.

This amendment shall become effective November 15, 1944.

Issued this 10th day of November 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-17229; Filed, Nov. 10, 1944; 11:59 a. m.]

PART 1362-CERAMIC PRODUCTS, STRUC-TURAL CLAY PRODUCTS OF OTHER MASON MATERIALS

> [MPR 116, Amdt. 6] CHINA AND POTTERY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 116 is amended in the following respects:

A new § 1362.59b is added to read as

§ 1362.59b Modifications of provisions of Maximum Price Regulation No. 116. The provisions of Maximum Price Regulation No. 116 as applied to the commodities or persons subject thereto may be modified by order under this § 1362.59b.

This amendment shall become effective on the 15th day of November 1944.

Issued this 10th day of November 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-17230; Filed, Nov. 10, 1944; 11:59 a. m.]

\*Copies may be obtained from the Office of Price Administration.

PART 1362-CERAMIC PRODUCTS, STRUC-TURAL CLAY PRODUCTS AND OTHER MASON MATERIALS

[RMPR 206, Amdt. 7]

VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 206 is amended by revising Article XII, sections 12.1 to 12.3, inclusive, to

read as follows:

ARTICLE XII-MAXIMUM PRICES FOR VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS, WHEN SOLD FOR DELIVERY OUTSIDE A FAC-TORY'S NORMAL MARKET AREA

SEC. 12.1 Application. The provisions of this article provide a method whereby sewer pipe products may be shipped outside a manufacturer's normal market area to a Federal, State, County or Municipal Governmental Agency, or to a Drainage or Sewerage District, or to a contractor or subcontractor of any such Agency or District, at prices in excess of the maximum prices established in Article V to XI, inclusive, of this regula-For all other shipments outside the manufacturer's normal market area. for use on a project other than one controlled by a Federal, State, County or Municipal Governmental Agency, or to a Drainage or Sewerage District, the maximum price established in Article V to XI, inclusive, for the geographical areas designated therein, shall apply.

SEC. 12.2 Maximum prices for sewer pipe products sold by a manufacturer to a Government Agency, and shipped outside its normal market area. (a) Requirements which must be met by a manufacturer in order to use out-of-area maximum prices. A manufacturer may use the pricing method set forth in the next paragraph only when:

(1) He is selling to a Federal, State, County or Municipal Governmental Agency or to a Drainage or Sewerage District, or to a contractor or subcontractor of any such Agency or District, for use on a project controlled by any such agency or district: Provided, That a manufacturer may sell to any person who resells to any of the foregoing at prices not in excess of the maximum prices established by this section.

(2) The seller must compute transportation charges on the basis of rail car-

load quantities.

(3) He secures and retains for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a certificate signed by the purchaser in the following form:

> CERTIFICATE FORM (Form OPA 678-655)

	Place	
	Date	
ect	(Identify: Number, location, etc.)	

Purchaser (Area Engineer; Purchasing Agent; Contractor; Subcontractor)

Quantity and description of sewer pipe products required:

The quantity of sewer pipe products listed above are required for the construction of the project named above. Diligent effort has been made to secure the necessary products from the sources of supply normally servicing the area where the project is located. Such sources are unable to supply the required products within the time allotted for construction. Therefore, it becomes necessary to purchase the required products from \_\_\_\_\_ Company (indicate whether distributor or manufacturer), whose office is located at \_\_\_\_\_ located at \_\_\_\_\_ The products so purchased will not be used on any project other than one controlled by a Federal, State, County or Municipal Governmental Agency, The products or by a Drainage or Sewerage District, or by a contractor or subcontractor of any such Agency or District, except products that have been rejected for cause,

By \_\_\_\_\_(Title) (Name of purchaser)

(4) The following form of endorsement shall be made by the seller if he is not the manufacturer of the sewer pipe products. Such endorsement may be made on the reverse side of purchaser's certificate.

ENDORSEMENT FORM (Form OPA 678-656)

The undersigned has received an order which is covered by the certificate on the reverse side, or attached hereto. The undersigned is unable and will be unable to supply the requirements of the purchaser from our own stock of vitrified clay sewer pipe, or allied products, in the time allotted for delivery. It is therefore necessary to order from

the requirements of purchaser as listed on the certificate. Prices charged the purchaser by the undersigned do not exceed the maximum prices established in section 12.2 of Revised Maximum prices. mum Price Regulation No. 206.

> ------By \_\_\_\_\_(Title)

(b) The maximum price for any sewer pipe product sold by any person and shipped from a factory to a destination which is outside the normal market area of such factory may be determined in the following manner:

(1) A price f. o. b. factory not in excess of 95 percent of the f. o. b. plant price for straight or mixed carload shipments. The following methods shall be used in determining the f. o. b. plant price which shall apply to manufac-turers who wish to use this section.

(i) For those manufacturers who sell on an f. o. b. plant basis, the price so established in this Revised Maximum Price Regulation No. 206.

(ii) For those manufacturers who sell at a delivered price based on geographical zones, the delivered price as established in this Revised Maximum Price Regulation No. 206 for the zone within which the factory is located, less the weighted average freight paid by the manufacturer, during the calendar year 1941, for delivery in the zone in which the factory is located.

For those manufacturers who determine their price in accordance with this subdivision (ii) the weighted average

freight shall be determined in the following manner: From the total amount of freight paid during the year 1941 for rail delivery of sewer pipe products to the zone within which the factory is located, deduct that amount of freight applicable to dunnage only, that is, to crating, bracing, or other material carried for the protection of the product. Divide the balance by the total amount of tons of sewer pipe products delivered by rail, during the calendar year 1941, in the zone in which the factory is located. The result will be the weighted average freight per ton paid during the year 1941 for delivery by rail of sewer pipe products in the zone in which the factory is located.

(iii) For manufacturers located in the

Eastern area, who sell at a delivered price based on freight rate zones, the delivered price as established in this Revised Maximum Price Regulation No. 206 in the first or 10e zone, less the highest amount of freight from Akron, for delivery to the first, or 10e zone.

(2) A delivered price may be charged under this provision not higher than the maximum price established in this section, f. o. b. factory plus the actual freight charges incurred by the manufacturer in making delivery to the point of destination.

(3) Material purchased in accordance with the provisions of this section which is in excess of requirements, or which is rejected by the purchaser for cause, may be re-sold to any person at the prices established by the General Maximum Price Regulation, for the same grade or quality for the area in which the product is ultimately used.

SEC. 12.3 Reports for out-of-area shipments. Every manufacturer who makes a sale pursuant to this article in any month shall make a report to the Office of Price Administration, Washington 25, D. C., on or before the fifteenth day of the following month, setting forth a list of all sales which resulted in sewer pipe products being shipped to points outside his normal market area during the preceding calendar month, showing the name and address of the purchaser, the point of shipment and the point of delivery, the quantity and classification of products sold, the price charged, and the method of computing such price.

When used in this Revised Maximum

Price Regulation No. 206, the term:
"Normal market area" for any factory means that area in which sewer pipe products were regularly offered for sale during the period January 1, 1940, to January 1, 1942; for the purposes of this definition, sewer pipe products will be deemed to have been "regularly offered for sale" only in that area in which the factory had salesmen travelling at regular intervals and/or customarily quoted for shipment during the above mentioned period.

This amendment shall become effective November 15, 1944.

Note: The reporting requirements of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

Issued this 10th day of November 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-17238; Filed, Nov. 10, 1944; 12:02 p. m.]

PART 1377-WOODEN CONTAINERS [MPR 524,1 Amdt. 3] USED TIGHT COOPERAGE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith. has been filed with the Division of the Federal Register.\*

In section 3, the table of prices for used tight cooperage is amended to read as

USED TIGHT COOPERAGE

tum prices,	. o. o. conve	yance)			
As they run sales to anyone by		Sales by other than dumpers and pedd to consumers and exporters (in lots o barrels or more)			peddlers lots of 13
Dumpers	Peddlers	As they run	Selected and sound	Recond	itioned
			40.00		5.45
1.10	1.45	1.45			
.75	1,10	1.10	1.30	2,	40
.35	.60	.60	.80	1,	35
.35	. 50 . 35	.35			
				Recoo	pered
				Scraped.	Un- scraped
1.35 .85	1, 70 1, 20	1.70 1.20	2,10	3, 50	2,80
	As they ri anyor 2 any	As they run sales to anyone by  Peddlers  \$1.25	Dumpers   Peddlers   Loc consume barrels of to consume barrels of to consume barrels of the peddlers   As they run	As they run sales to anyone by   Sales by other than du to consumers and exparrels or more)	As they run sales to anyone by   Sales by other than dumpers and to consumers and exporters (in barrels or more)

For sales by other than dumpers and peddlers to consumers in lots of 12 or less the mark-up over the above prices shall be the same as the average mark-up in dollars and cents on sales of the same or similar barrels by the seller for retail sales between August 1, 1941 and April 1, 1942, but in no event shall such mark-up be more than 50% of the F. O. B. price or one dollar per barrel, whichever is lower,

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

<sup>19</sup> F.R. 3351, 4687, 9890.

This amendment shall become effective November 15, 1944.

Issued this 10th day of November 1944.

CHESTER BOWLES. Administrator.

[F. R. Doc. 44-17231; Filed, Nov. 10, 1944; 11:59 a. m.l

PART 1418-TERRITORIES AND POSSESSIONS [RMPR 183,1 Amdt. 54]

GROCERY ITEMS, ETC., IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 23, Table 7, is amended by changing the prices of two items and by eliminating the price "To wholesaler" of same to read as follows:

Item and brand names	Unit—case of	Price at whole- sale	Price at retail (per unit)
Gibb's: Tomato	10½ oz. can	\$4.32	\$0.11
Huff's: Tomato	10½ oz. can	4.44	.12

2. Section 25, Table 10, is amended by changing the price of one item and by eliminating the price "To wholesaler" of same to read as follows:

Item and brand names	Unit—case of—	Price at whole- sale	Price at retail (per unit)
Canned spinach: Del Monte.	24 No. 2½ can.	\$5. 15	\$0. 27

3. Section 35, Table 22, is amended by changing the prices of two items to read as follows:

Item and brand name	Price to whole- saler (per hun- dred- weight)	Price at whole- sale (per hun- dred- weight)	Price at retail
Cornmeal	\$4. 36	\$4.70	\$0.06 lb. or 2/11¢,
Whole corn	3. 36	3,70	\$0.05 lb. or 2/9¢.

4. Section 40, Table 29, is amended by changing the prices of one item and by eliminating the price "To wholesaler" of same to read as follows:

Item and brand name	Price at whole- sale	Price at retail	
atural American cheddar	Pound \$0. 375	Pound \$0.47	

5. Section 42, Table 33a, is amended to read as follows:

TABLE 33A-MAXIMUM PRICE FOR INEDIBLE LAUNDRY STARCH

N

	To wholesaler	At wholesale	At retail
Argo gloss: Carton 24/16-ounce packages	\$5.00 per 100 pounds	\$2.30 \$5.45 per 100 pounds	\$0.12 per package. \$0.07 pound or 2/13¢.

6. Section 42, Table 33f, is amended by adding a new item to read as follows:

Item and brand name	Unit—case of—	Price at whole- sale	Price at retail (per unit)
Honey: Amber	24/16 oz. jar	\$7. 25	\$0.39

7. Section 44, Table 36, is amended to read as follows:

TABLE 36-MAXIMUM PRICES FOR ALL GARLIC

Item and brand name	Unit	Price to whole- saler	Price at whole- sale	Price at retail (per pound)
Garlie		\$0, 2525	\$0, 28	\$0.38, \$0.03 per head,

8. Section 45, Table 37, is amended by changing the price of one item and by eliminating the price "To wholesaler" of same to read as follows:

Item and brand name	Price at whole- sale (per pound)	Price at retail (per pound)
Pork: Pork loins, frozen, regular	\$0, 285	\$0, 36

9. Section 52 is amended to read as follows:

\* Copies may be obtained from the Office of Price Administration.

SEC. 52. Maximum prices for charcoal sold in the Territory of Puerto Rico.

TABLE 43-MAXIMUM PRICES FOR CUAL

TABLE 43-MAXIMUM I	RICES	FOR C	HARCO.	AL
	From Jan. 1 to May 31 (at whole- sale) <sup>4</sup>		From June 1 to Dec 31 (at whole- sale)4	
One 100 lb, capacity 1 burlap	\$0	.53	\$0	.63
	From Jan. 1 to May 31 (at retail)		From June 1 to Dec. 31 (at retail)	
	Not delivered	Delivered	Not delivered	Delivered
One 100 lb, capacity <sup>1</sup> burlap bag One 5 gallon tin <sup>2</sup> . One 4 pound capacity <sup>3</sup> paper bag	\$0.60 .17 .04	\$0.65 .19	\$0. 70 , 20	\$0.75 , 22 , 06

<sup>1</sup> Prices include the bag container,

<sup>2</sup> Prices do not include container,

<sup>2</sup> Prices include the paper bag container,

<sup>4</sup> No amount may be added to the price "at wholesale" for transportation to the point at which buyer receives delivery.

Note: A burlap bag used as a measure of content for sales of charcoal shall contain no less than 3 full five gallon tin measures. The 5 gallon tin must be undented and filled to capacity. The maximum price for charcoal sold in containers other than those specified above shall be a price proportionately computed on the basis of container of the nearest capacity.

10. Section 57, Table 49, is amended to read as follows:

TABLE 49.-MAXIMUM PRICES FOR POULTRY

	Live		Dressed		Drawn	
	Wholesale (per pound)	At Retail (per pound)	(per pound)	At Retail (per pound)	(per pound)	(per pound)
All poultry except turkeys	\$0.50	\$0.60 .65	\$0.58	\$0.68 .80	\$0.70	\$0.85 1.05

11. Section 62, Table 54, is amended by adding new items to read as follows:

Item and brand name	Price at wholesale (per pound)	Price at retail (per pound)
Cod fillets: Brands: 40 Fathom Sea Fresh Blue Ribbon. Haddook fillets:	\$0. 30	\$0.43
Brands: 40 Fathom Sea Fresh Blue Ribbon Mackerel fillets:	30	•43
Brands: 40 Fathom Sea Fresh Blue Ribbon Perch fillets:	} .30	.43
Brands: 40 Fathom Sea Fresh Blue Ribbon	30	•43

This amendment shall become effective November 15, 1944.

Issued this 10th day of November 1944. CHESTER BOWLES,

Administrator.

[F. R. Doc. 44-17233; Filed, Nov. 10, 1944; 12:00 p. m.]

PART 1418-TERRITORIES AND POSSESSIONS [MPR 373, Amdt. 99]

POI IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 49 is amended by adding a new paragraph to read as follows:

(f) Poi bag deposit. Sellers of poi, who sell such poi in bags, may charge a deposit of not more than five cents per bag, which must be refunded when the bag is returned.

This amendment shall become effective as of October 26, 1944.

Issued this 10th day of November 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-17234; Filed, Nov. 10, 1944; 12:00 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS [MPR 373, Amdt. 100]

TIRES AND TUBES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 24 is amended in the following respects:

- 1. The first sentence in paragraph (a) (1) (ii) is amended to read as follows:
- (ii) This section applies to all sales of used tires and tubes of a size and type listed in Appendix B, at both the retail and wholesale level, except sales for an ultimate purpose other than used on the wheel of the vehicle.
- 2. The first sentence in paragraph (e) is amended to read as follows: "Notwithstanding the provisions of section 10 of Maximum Price Regulation No. 373, every person engaged in the business of selling new tires or tubes at retail, in the business of selling recapped tires or used tires and tubes, or in the business of selling recapping, or tire or tube repairing services, shall keep posted at each place of business in a manner visible to the purchasing public, the following, clearly identified as such: \* \*\*
- 3. Paragraph (f) (1) is amended to read as follows:
- (1) New tires and tubes. Every seller of new tires or tubes at retail shall give every buyer a sales slip listing:

(i) The type, size, ply, and brand name of the new tire or tube.

(ii) The price.

- (iii) Whether or not the tire or tube is a factory second.
- 4. Paragraph (f) (4) is amended to read as follows:
- (4) Repairing. Every person engaged in the business of repairing tires shall give every buyer a sales slip listing:
  - (i) The type, ply, and size of tire.(ii) For each repair, the type of re-
- pair (such as spot or sectional), and .

  (iii) The price for each repair and the total for all repairs made.
- 5. The following sentence is added immediately after the first sentence in Appendix A (d): "Notwithstanding any other provision of this section, new synthetic special purpose tubes shall also be priced under this paragraph."

6. Appendix A (e) (6) is added to read as follows:

- (6) Special purpose tube means a rubber tube designed to be puncture resisting by the use of an extra layer or layers of soft rubber or plastic material or by the use of dual tube construction, such special purpose tube being similar in type and construction to the brands listed in footnote 1 to Table B-VII of Appendix B of this section.
- 7. In appendix A, Table A-II, Maximum Retail Prices for New Synthetic Rubber Motorcycle Tires and Tubes, the

following size and prices are added in the proper column:

Tire and tube size	2-ply	4-ply	Tube
	price	price	price
3. 85-20		11. 30	2. 20

8. In Appendix A, Table A-V, Maximum Retail Prices for New Farm Implement and Farm Tractor Tires and Tubes under (1) Farm implement and farm tractor front tires and tubes, the following sizes and prices are inserted in the appropriate columns:

Tire and tube size	Ply	Farm implement tire price	Farm tractor front tire price	Tube
4.00-12	4 8		9, 55 35, 00	

9. In Appendix A, Table A-V under (2), farm tractor rear tires and tubes, the following size and price are inserted in the proper columns:

Tire and tube size	Ply	Tire price	Tube price
9-24	10	52.85	

This amendment shall become effective as of November 1, 1944.

Issued this 10th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17235; Filed, Nov. 10, 1944; 12:00 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS [MPR 373, Amdt. 101]

FATS, OILS AND CANNED MEATS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 373 is amended in the following respects:

- Section 18, Table V, entitled "Maximum prices for sales of fats and oils and canned meats in the Island of Oahu only" is hereby revoked.
- 2. Section 19b, Table H, entitled "Mainland Smoked or Ready-to-Eat Meats at Retail" is amended by inserting the word "piece" and deleting the word "slice" in the category entitled "Cooked or boiled ham (whole, half, or by the slice)."
- Section 38, Table XXV, entitled "Maximum prices for Honey", is hereby revoked.

This amendment shall become effective as follows:

- (a) As to section 18, as of October 1, 1944.
- (b) As to section 38, as of October 1, 1944.

(c) As to section 19b, as of July 15, 1944.

Issued this 10th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17232; Filed, Nov. 10, 1944; 12:00 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 373, Amdt. 102]
CLOTHING IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 373 is amended in the following respects:

- 1. Section 52 is amended in the following respects:
- a. Paragraph (b) (5) is amended to read as follows:
- (5) Drop shipments. Maximum prices for sales at wholesale of any article listed and described in paragraph (a) of this section by a person who has not heretofore regularly carried such article in stock, and such article is not being sold out of stock, and such article was not shipped to the establishment of such person, shall be an amount determined by multiplying the manufacturer's or original importer's selling price, less all allowable discounts and allowances, by 1.12.
- b. Paragraph (b) (6) is amended to read as follows:
- (6) Manujacturing-wholesalers and manujacturing-retailers. The maximum price for sales at wholesale of any article listed and described in paragraph (a) of this section which the wholesaler or retailer makes or has made for him from materials owned by him shall be computed as follows: First, multiply the sum of the costs of manufacturing by 1.15. To this amount add the maximum price for textile printing as fixed by section 58 of this regulation in the event any textile printing is reproduced on the article by or for the manufacturing-wholesaler or manufacturing-retailer.

The costs of manufacturing shall include only (i) the wholesale price of the materials, which for the wholesaler shall be no higher than his maximum wholesale price for such material, and for the retailer shall be the actual cost of the material to him which may in no case be higher than the wholesale price, and (ii) the sewing charges permitted under Revised Maximum Price Regulation 165.

- c. Paragraph (b) (9) is amended to read as follows:
- (9) Allowance for textile printing. Where a wholesaler textile prints or has textile printed for him any article covered by this section, he may, for the purpose of determining his maximum price for such article under this section, add to the wholesaler's selling price for the finished unblocked article the maximum price permitted under section 58 of this regulation for such textile prints.

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

- d. Paragraph (c) (2) is amended to read as follows:
- (2) Purchases of drop shipments from local wholesalers or jobbers. The maximum price for sales at retail for any article which the retailer purchases from a person selling at wholesale, whose maximum price for such sale is determined by paragraph (b) (5), (Drop shipments), shall be determined by multiplying the wholesaler's or jobber's selling price by the figure given in the 5th column (5) of the table below for the classification of goods to be priced.
- e. The Table of Retail Multiplication Figures following paragraph (c) (6) is amended by adding a new column 5 to read as follows:

TABLE OF RETAIL MULTIPLICATION FIGURES

Column 8

Dresses, coats, jackets, suits, rainwear, slack suits, play clothes, housecoats: (a) Budget: to \$7.75 inclusive\_\_\_\_ 1.68 1.73 (b) Better: over \$7.75\_\_\_ Slacks, shirts and blouses, skirts and 1.68 sweaters . Women's knitted underwear, nightwear, brassieres\_\_\_\_\_ Foundation garments: (a) Budget: to \$2.75 inclusive\_\_\_\_\_ (b) Better: over \$2.75\_\_\_\_ 1.72 Millinery\_\_\_\_\_ 1.65 Hosiery ---Gloves and handbags ... 1.65 Miscellaneous accessories: handkerchiefs, scarfs, belts, neckwear\_\_\_\_

- f. Paragraph (c) (9) is amended to read as follows:
- (9) Allowance for textile printing. Where a retailer textile prints or has textile printed for him any article covered by this section, he may, for the purpose of determining his maximum price for such article under this section, add to the wholesaler's selling price for the finished unblocked article the maximum price permitted under section 58 of this regulation for such textile prints.
- g. Paragraph (j) is amended by addone new subparagraph to read as follows:
- (10) "Original importer's selling price" means the price at which the mainland original importer of the article from outside the Continental United States sold and invoiced it, before the deduction of any discounts or allowances.
- 2. Section 53 is amended in the following respects:
- a. Paragraph (b) (5) is amended to read as follows:
- (5) Drop shipments. Maximum prices for sales at wholesale of any article listed and described in paragraph (a) of this section by a person who has not heretofore regularly carried such article in stock, and such article is not being sold out of stock, and such article was not shipped to the establishment of such person, shall be an amount determined by multiplying the manufacturer's or original importer's selling price, less all allowable discounts and allowances, by 1.12.
- b. Paragraph (b) (6) is amended to read as follows:
- (6) Manufacturing-wholesalers and manufacturing-retailers. The maximum

price for sales at wholesale of any article listed and described in paragraph (a) of this section which the wholesaler or retailer makes or has made for him from materials owned by him shall be computed as follows: First, multiply the sum of the costs of manufacturing by 1.15. To this amount add the maximum price for textile printing as fixed by section 58 of this regulation in the event any textile printing is reproduced on the article by or for the manufacturing-wholesaler or manufacturing-retailer.

The costs of manufacturing shall include only (i) the wholesale price of the materials, which for the wholesaler shall be no higher than his maximum wholesale price for such material, and for the retailer shall be the actual cost of the material to him which may in no case be higher than the wholesale price and (ii) the sewing charges permitted under Revised Maximum Price Regulation 165.

- c. Paragraph (b) (9) is amended to read as follows:
- (9) Allowance for textile printing. Where a wholesaler textile prints or has textile printed for him any article covered by this section, he may, for the purpose of determining his maximum price for such article under this section, add to the wholesaler's selling price for the finished unblocked article the maximum price permitted under section 58 of this regulation for such textile prints.
- d. Paragraph (c) (2) as amended to read as follows:
- (2) Purchases of drop shipments from local wholesalers or jobbers. The maximum price for sales at retail for any article which the retailer purchases from a person selling at wholesale, whose maximum price for such sale is determined by paragraph (b) (5), (Drop shipments), shall be determined by multiplying the wholesaler's or jobber's selling price by the figure given below in the 5th column (5) of the table below for the classification of goods to be priced.
- e. The Table of Retail Multiplication Figures, following paragraph (c) (6) is amended by adding a new column 5 to read as follows:

TABLE OF RETAIL MULTIPLICATION FIGURES

Top coats and overcoats 1.73

Dress, tropical, slack and wash suits;
separate trousers and slacks; separate coats, sport coats, sweaters;
sport or dress shirts, pajamas, headwear, neckwear, rainwear, underwear 1.68

Work clothes, active sportswear, swim trunks on shorts 1.65

Handkerchiefs, belts, garters, suspenders, dress or sport socks 1.65

- f. Paragraph (c) (9) is amended to read as follows:
- (9) Allowance for textile printing. Where a retailer textile prints or has textile printed for him any article covered by this section, he may, for the purpose of determining his maximum price for such article under this section, add to the wholesaler's selling price for the finished unblocked article the maximum price permitted under section 58 of this regulation for such textile prints.

- g. Paragraph (j) is amended by adding a new subparagraph to read as follows:
- (10) "Original importer's selling price" means the price at which the mainland original importer of the article from outside the Continental United States sold and invoiced it, before the deduction of any discounts or allowances,
- 3. Section 61 is amended in the following respects:
- a. Paragraph (b) (5) is amended to read as follows:
- (5) Drop shipments. Maximum prices for sales at wholesale of any article listed and described in paragraph (a) of this section by a person who has not heretofore regularly carried such article in stock, and such article is not being sold out of stock, and such article was not shipped to the establishment of such person, shall be an amount determined by multiplying the manufacturer's or original importer's selling price, less all allowable discounts and allowances, by 112.
- b. Paragraph (b) (6) is amended to read as follows:
- (6) Manufacturing-wholesalers and manufacturing-retailers. The maximum price for sales at wholesale of any article listed and described in paragraph (a) of this section which the wholesaler or retailer makes or has made for him from materials owned by him shall be computed as follows: First, multiply the sum of the costs of manufacturing by 1.15. To this amount add the maximum price for textile printing as fixed by section 58 of this regulation in the event any textile printing is reproduced on the article by or for the manufacturing-wholesaler or manufacturing-retailer.

The costs of manufacturing shall include only (i) the wholesale price of the materials, which for the wholesaler shall be no higher than his maximum wholesale price for such material, and for the retailer shall be the actual cost of the material to him which may in no case be higher than the wholesale price and (ii) the sewing charges permitted under Revised Maximum Price Regulation 165.

- c. Paragraph (b) (7) is amended to read as follows:
- (7) Allowance for textile printing. Where a wholesaler textile prints or has textile printed for him any article covered by this section, he may, for the purpose of determining his maximum price for such article under this section, add to the wholesaler's selling price for the finished unblocked article the maximum price permitted under section 58 of this regulation for such textile prints.
- d. Paragraph (c) (2) is amended to read as follows:
- (2) Purchases of drop shipments from local wholesalers or jobbers. The maximum price for sales at retail for any article which the retailer purchases from a person selling at wholesale, whose maximum price for such sale is determined by paragraph (b) (5), (Drop shipments), shall be determined by multiplying the wholesaler's or jobber's selling price by the figure given below in the 5th column

- (5) of the table below for the classification of goods to be priced.
- e. The Table of Retail Multiplication Figures, following paragraph (c) (6) is amended by adding a new column 5 to read as follows:

TABLE OF RETAIL MULTIPLICATION FIGURES

Column 5

- Girls' dresses and suits, boys' suits, children's coats, rainwear, robes, and housecoats, underwear and nightwear, slacks, slack suits and shorts, girls' skirts, boys' trousers, blouses and shirts, sweaters, play clothes, headwear, school uniforms; and infants' sweaters, sacques and wrappers; bonnets; bootees and socks, harnesses; infants' underwear and nightwear; miscellaneous
  - (a) Budget: to \$8.75 inclusive\_\_\_\_\_ 1.68 (b) Better: over \$8.75\_\_\_\_\_ 1.73
- f. Paragraph (c) (7) is amended to read as follows:
- (7) Allowance for textile printing. Where a retailer textile prints or has textile printed for him any article covered by this section, he may, for the purpose of determining his maximum price for such article under this section add to the wholesaler's selling price for the finished unblocked article the maximum price permitted under section 58 of this regulation for such textile prints.
- g. Paragraph (j) is amended by adding a new subparagraph to read as follows:
- (10) "Original importer's price" means the price at which the mainland original importer of the article from outside the Continental United States sold and invoiced it, before the deduction of any discounts or allowances.
- 4. Section 62 is amended in the following respects:
- a. Paragraph (b) (2) is amended to read as follows:
- (2) Drop shipments. Maximum prices for sales at wholesale of any article listed and described in paragraph (a) of this section by a person who has not heretofore regularly carried such articles in stock, and such article is not being sold out of stock, and such article was not shipped to the establishment of such person, shall be an amount determined by multiplying the manufacturer's or original importer's selling price, less all allowable discounts and allowances, by
- b. Paragraph (b) (4) is amended to read as follows:
- (4) Manufacturing-wholesalers and manufacturing-retailers. The maximum price for sales at wholesale of any article listed or described in paragraph (a) of this section which the wholesaler or retailer makes or has made for him from materials owned by him shall be computed by multiplying the sum of the costs of manufacturing by 1.15. The costs of manufacturing shall include only the following amounts actually incurred by the manufacturing-wholesaler or manufacturing-retailer.
- (i) An amount equal to the wholesale price of the material, which for the No. 226-3

wholesaler shall be no higher than his maximum wholesale price for such material, and for the retailer shall be the actual cost of the material to him, which may in no case be higher than the wholesale price.

(ii) An amount not to exceed \$0.03 per yard for cutting and fringing to a

depth of at least 1/3 inch.

(iii) An amount not to exceed \$0.07 per yard for hand sewing or hand hem-

(iv) An amount not to exceed \$0.05 per yard for hemstitching.

(v) An amount not to exceed \$0.02 per

yard for machine sewing.

- (vi) Other charges for sewing which in no case may exceed the maximum price permitted under Revised Maximum Price Regulation No. 165.
- c. Paragraph (b) (5) is amended to read as follows:
- (5) Allowance for textile printing. Where a wholesaler textile prints or has textile printed for him any article cov-ered by this section, he may, for the purpose of determining his maximum price for such article under this section, adds to the wholesaler's selling price for the finished unblocked article the maximum price permitted under section 58 of this regulation for such textile prints.
- d. Paragraph (c) (2) is amended to read as follows:
- (2) Purchases of drop shipments from local wholesalers or jobbers. The maximum price for sales at retail for any article which the retailer purchases from a person selling at wholesale, whose maximum price for such sale is determined by paragraph (b) (2), (Drop shipments). shall be determined by multiplying the wholesaler's or jobber's selling price by the figure given below in the 2nd column (2) of the Table for the classification of goods to be priced.
- e. Paragraph (c) (7) is amended to read as follows:
- (7) Allowance for textile printing. Where a retailer textile prints or has textile printed for him any article covered by this section, he may, for the purpose of determining his maximum price for such article under this section, add to the wholesaler's selling price for the finished unblocked article the maximum price permitted under section 58 of this regulation for such textile prints.
- f. Paragraph (j) is amended by adding a new subparagraph to read as follows:
- (11) "Original importer's selling price" means the price at which the mainland original importer of the article from outside the Continental United States sold and invoiced it, before the deduction of any discounts or allow-

This amendment shall become effective as follows:

a. As to section 52 (b) (5), (c) (2), Table of Retail Multiplication Figures following paragraph (c) (5), (j), section 53 (b) (5), (c) (2), Table of Retail Multiplication Figures following paragraph (c) (6), (j), section 61 (b) (5), (c) (2), Table of Retail Multiplication Figures following paragraph (c) (6), (j), section 62 (b) (2), (c) (2), and (j), as of May 1, 1944.

b. As to section 52 (b) (6), (b) (9), (c) (9), section 53 (b) (6), (b) (9), (c) (9), section 61 (b) (6), (b) (7), (c) (7), section 62 (b) (4), (b) (5), and (c) (7), as of August 31, 1944.

Issued this 10th day of November 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-17236; Filed, Nov. 10, 1944; 12:02 p. m.]

PART 1418-TERRITORIES AND POSSESSIONS [MPR 373, Amdt. 103]

GROCERY ITEMS IN HAWAIT

A statement of the considerations in volved in the issuance of this amendment, issued simultaneously herewith. has been filed with the Division of the Federal Register.\*

Section 21 is amended in the following respects:

1. The table following paragraph (c) (1) is amended by changing the prices of several items to read as follows:

	Wholesale maximum prices	Retail maxi- mum prices (per pound)
Onions, dry, all colors Potatoes, U. S. No. 1 White.	\$2.35 per 50 pound bag. \$4.65 per 100 pound bag.	\$0.07 ,065

2. The table following paragraph (d) (1) is amended by changing the prices of several items to read as follows:

	Whole-sale maxi- mum prices	Retail maxi- mum prices
Apples: Premium Delicious Newtons	Per box \$5.05 5.05 5.05	Per pound \$0. 17 .17 .17

This amendment shall become effective as of October 28, 1944.

Issued this 10th day of November 1944. CHESTER BOWLES, Administrator.

[F. R. Doc. 44-17237; Filed, Nov. 10, 1944; 12:01 p. m.]

PART 1439-UNPROCESSED AGRICULTURAL COMMODITIES

[2d Rev. MPR 371]

ONION SETS

Revised Maximum Price Regulation 371 is revised and amended to read as set forth herein. In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable and comply with all the provisions and will effectuate the

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

purposes of the Emergency Price Control Act of 1942, as amended, and of Executive Orders 9250 and 9328.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Sec.

1. Applicability.

- 2. Sales at other than maximum prices.
- 3. Evasion.
- 4. Enforcement.
- 5. Licensing.
- 8. Records and reports.
- Interpretations, protests and petitions for amendment.
- 8. Definitions.
- Maximum prices for sales of processed onion sets.
- Maximum prices on sales of unprocessed onion sets.

Appendix A. Base prices for sales of onion sets.

AUTHORITY: § 1439.1 issued under 56 Stat, 23, 765; 57 Stat, 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. Applicability. (a) Except as provided in paragraph (b) of this section, this regulation shall apply to all sales within the 48 states and the District of Columbia of domestic and imported onion sets as hereinafter defined, whether sold for immediate or future delivery.

(b) Sales excepted. This regulation shall not apply to:

(1) Onion sets which will not pass through a 1½ inch bar screen, which shall be and remain subject to Revised Maximum Price Regulation No. 271, and Maximum Price Regulations Nos. 422 and 423

(2) Onion sets purchased by the United States or any of its agencies under such circumstances of emergency as to make immediate delivery imperative and as to render it impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, if such purchases and deliveries are made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation, as amended: Provided, however. That the Administrator may by order waive the reporting of any part of the information required by section 4.3 (f) in connection with the particular purchase or group of purchases upon determining that such information may not reasonably be required under all the circumstances and he may in lieu thereof require the reporting of other information more suited to the circumstances.

(3) Any export sale of any onion sets. The maximum price for such sales shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.<sup>3</sup>

SEC. 2. Sales at other than maximum prices. (a) Regardless of any contract

\*Copies may be obtained from the Office of Price Administration.

18 F.R. 4132.

or obligation, no person shall sell or deliver, and no person shall, in the course of trade or business, buy or receive any of the commodities covered by this regulation at a price above the maximum price established by this regulation, nor shall any person agree, solicit, offer, or attempt to do any of the foregoing: Provided, however, That this prohibition is subject to the exception provided for in subparagraph (1) of this paragraph.

(1) Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery, but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by an order of the Administrator or of any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

(b) Prices lower than the maximum prices established by this regulation may be charged or paid.

SEC. 3. Evasion. No person shall evade this regulation directly or indirectly, whether by commission, services, transportation, or other charge or discount, premium or other privilege; by tying-requirement or other trade understanding; by a business practice relating to grading, labelling, or packaging, or in any other way.

Sec. 4. Enforcement. Persons violating any provision of this regulation are subject to the license revocation or suspension provisions, civil enforcement actions, suits for damages, and criminal penalties, as provided in the Emergency Price Control Act of 1942, as amended.

Sec. 5. Licensing. The provisions of Licensing Order No. 1,<sup>2</sup> licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 6. Records and reports. (a) Except in the case of sales by farmers and retailers every person making a purchase or sale of any onion sets, unprocessed or processed, in the course of trade or business shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect complete and accurate records of each such purchase and sale including the date thereof, the name of the seller and pur-

chaser, a description of the commodity sold, and the price paid.

(b) Upon demand every such seller shall submit such records to the Office of Price Administration and keep such further records as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

SEC. 7. Interpretations, protests and petitions for amendment. Any person seeking an interpretation or amendment of, or desiring to file a protest against, any provisions of this regulation may do so in accordance with Revised Procedural Regulation No. 1,\* as amended, issued by the Office of Price Administration.

Sec. 8. Definitions. (a) As used in this regulation the following terms shall have the following meanings:

(1) "Person" means an individual, corporation, partnership, association or other organized group of persons or the legal successor or representative of any of the foregoing, and includes the United States or any other Government or any political subdivision or agency of any of the foregoing.

(2) "Processed onion sets" means a lot of onion sets which have been cleaned, screened and sized and contain not less than 30 percent of weight of onion sets

3/4 inch or less in diameter.

(3) "Unprocessed onion sets" means all onion sets other than processed onion sets.

(4) "Producer" means a person other than a country shipper who grows or harvests onion sets.

(5) "Country shipper" is a person who sells processed onion sets in lots of 24,-000 pounds or more.

(6) "Wholesaler" means, with respect to a particular lot of processed onion sets, a person who purchases such lot and resells the same to retailers in lots of less than 24,000 pounds or to planters in lots of more than 64 pounds but less than 24,000 pounds.

(7) "Retailer" means, with respect to any particular lot of processed onion sets, a person who purchases such lot and resells the same to planters in quantities of 64 pounds or less.

(8) "Carload lot" means a lot of onion sets of 24,000 pounds or more.

(9) "Less than carload lot" means a quantity other than a carload lot or pool car lot.

(10) "Pool car" means a car in which two or more buyers have combined, or have been combined by the seller, for the purpose of obtaining a carload rate.

(11) "Transportation cost" means:
(i) If a common carrier, contract carrier, or other carrier for hire or compensation is employed, the charge actually incurred for the transportation service;

(ii) If hauling is done by truck, passenger car or wagon, the customary scale of charges for the haul in question.

(iii) If delivery is made by mail, the lowest established postal rate for the delivery in question or the zone rate estab-

<sup>2 8</sup> F.R. 13240.

<sup>97</sup> F.R. 9861.

lished by the seller by averaging the lowest established postal rates for the zones selected.

(iv) When any movement involves a combination of more than one of the types of transportation included in (i), (ii) and (iii), the transportation cost for the movement of each type shall be computed separately and the results added.

SEC. 9. Maximum prices for sales of processed onion sets. Maximum prices for all sales of processed onion sets are found in this section. Maximum prices of such onion sets vary according to the kind and size of the sets and the period during which they are delivered. The base prices of onion sets according to kind, size and month of delivery are found in Appendix A. Whenever reference is made to a base price, refer to the Appendix. In the Appendix you will find that the particular kind and size of onion sets you are selling have their own base price, without reference to the type of seller you may happen to be.

Once a base price has been determined, this section will explain how you determine your own maximum price. You must consult the definitions to determine your class of seller on a particular sale, as we have defined your status according to the particular sale you are making. You may be one class of seller on one sale and another class of seller on a

different sale.

(a) Maximum prices for a producer.

If you are a producer your maximum price for the sale or delivery of processed onion sets shall be the appropriate base price set forth in Appendix A plus

your transportation cost.

(b) Maximum prices for any person other than a producer. If you are any person, other than a producer, your maximum price for the sale or delivery of processed onion sets shall be the appropriate base price set forth in Appendix A, plus your transportation cost and plus the applicable markup set forth below:

Class of seller pound

Country shipper \$0.01 in carload lots.

Country shipper \$0.01½ in pool car lots.

Wholesaler:

To planters\_\_\_\_ \$0.04.

To retailers\_\_\_\_ \$0.01½ for lots of 16,000 lbs. up to 24,000 lbs.

\$0.02 for lots of 9,600 lbs, up to 16,000 lbs.

\$0.02½ for lots of 3,200 lbs. up to 9,600 lbs.

\$0.03½ for lots of 1,600 lbs. up to 3,200 lbs.

\$0.04\\\ \text{for lots of 640 lbs.} \text{up to 1,600 lbs.} \text{up to more soft more lots of more soft more soft

\$0.05 for lots of more than 64 lbs. up to 640 lbs.

Retailer\_\_\_\_\_\_ \$0.24½. Any other seller\_ No markup.

Sec. 10. Maximum prices for sales of unprocessed onion sets by any person. If you are any person selling unprocessed onion sets your maximum price for the sale or delivery of such sets shall be the appropriate base price for a like kind and size of onion sets, when processed, as set

forth in Appendix A, less the reasonable costs of preparing such unprocessed onion sets into processed onion sets (not exceeding any maximum service charge established therefor), plus your transportation cost.

Appendix A—Base prices for the sale of processed onion sets. (a) The base price for the sale of processed yellow, brown and red onion sets per pound, bulk, according to the date of delivery shall be as follows:

SIZE OF SCREEN

Time of delivery	13/6" square mesh or 34" bar screen	square mesh or 78" bar screen	1" square mesh or 13/4" bar screen	1½6" square mesh or 1" bar screen	11/6" square mesh or 11/16" bar screen
Sept. 1-15	. 151½ . 1578 . 1614 . 1658 . 17 . 1738 . 181½ . 2014 . 2134 . 2134	111/6 111/6 111/6 112/4 12/4 12/4 12/4 13/6 13/6 14/5 14/5 14/5 16/6 16/6 16/6 17/4 17/4 19/4 19/4	. 1015 . 1075 . 1175 . 1115 . 1125 . 1235 . 1235 . 1335 . 1335 . 1456 . 1554 . 1634 . 1834	.0978 .1074 .1079 .113 .1134 .1258 .1258 .1258 .1388 .144 .1544 .1544 .1734	. 007/s 07/4 07/4 08/4 08/4 08/4 09/4 09/4 09/4 10/4 11/4 11/4 11/4 11/4 11/4 11/4 11
July 1-15 16-31 Aug, 1-15 16-31	.2134 .2134 .2134 .1434 .1434	. 1934 . 1134	.1834 .1834 .1034	.1734	.15 .15 .0734

(b) The foregoing prices shall be increased at the rate of  $0.01\frac{1}{2}$  per pound for the sale of processed white onion sets.

(c) When processed onion sets are sold in sacks or other containers furnished by the seller the foregoing maximum prices may be increased by the reasonable market value of the sacks or other containers furnished (not exceeding any maximum price established thereon).

Note: The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Register Act of 1942.

This regulation shall become effective November 10, 1944.

Issued this 10th day of November 1944.

CHESTER BOWLES, Administrator.

Approved: November 1, 1944.

ASHLEY SELLERS,

Assistant War Food Administrator.

[F. R. Doc. 44-17228; Filed, Nov. 10, 1944;

PART 1499—COMMODITIES AND SERVICES [Rev. SR 14 to GMPR, Amdt. 189]

EMERGENCY OPEN YARD STORAGE OF COTTON IN MISSISSIPPI VALLEY AND SOUTHEAST

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

In section 8.2 (b), a new sub-paragraph (9) is added to read as follows:

(9) "Emergency open yard storage" in Mississippi Valley and Southeast. (i) The maximum prices for "emergency open yard storage" in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Missouri, North Carolina, South Carolina or Tennessee, including handling, drayage and other services incidental thereto, of cotton received prior to February 1, 1945, shall be the maximum prices established by § 1499.2 of the General Maximum Price Regulation and section 8.2 (b) (1) to (7), inclusive, of Revised Supplementary Regulation No. 14 for the storage and handling of cotton at the nearest enclosed facility plus an additional "emergency open yard storage" receiving charge of 25 cents per bale, Provided, That:

(a) The particular facility does not have available storage space within the warehouse building and is approved by the Commodity Credit Corporation in accordance with the terms of its "Agreement for storing cottor in open yards",

Form 200-ADM-4.

(b) Each warehouseman assessing an additional "emergency open yard storage" receiving charge shall notify the Director of the Transportation and Pub-Hc Utilities Division in writing as to (1) the date on which new open yard facilities were established or old open yard facilities were expanded, (2) the location of such facilities, including the distance from the nearest enclosed warehouse, and (3) the date or anticipated date of approval of the open yard facility by Commodity Credit Corporation in accordance with the terms of its "Agreement for storing cotton in open yards". This notice shall be furnished by November 20, 1944, or within 10 days after additional emergency open yard storage is undertaken, whichever date is later.

If an additional receiving charge is collected by a warehouseman who has failed to comply with the notice provisions of this sub-paragraph, each such collection shall constitute a price viola-

tion of this regulation.

(c) Each warehouseman assessing an additional "emergency open yard stor-

<sup>\*</sup>Copies may be obtained fom the Office of Price Administration.

age" receiving charge shall maintain and make available for inspection by the Office of Price Administration with respect to each location at which "emer-gency open yard storage" space is furnished a record of:

(1) The number of bales received and stored in "emergency open yard storage".

(2) Revenues derived or accrued from the additional "emergency open yard storage" receiving charge.

(3) Expenses for providing the "emer-

gency open yard storage".

(ii) Definitions. As used in this subparagraph (9), "emergency open yard storage" shall include the storage, handling, incidental drayage, and other services performed in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Missouri, North Carolina, South Carolina or Tennessee in connection with the storage of cotton in newly established facilities not used for open yard storage during the 1943-44 cotton season, or in space converted to open yard storage since August 1, 1944. Incidental drayage includes the transportation of cotton from the "emergency open yard storage" facility to the enclosed warehouse facility. The warehouseman may continue to make such drayage charge for transportation from the warehouse to a rail terminal or depot as is permitted by the applicable price regulation issued by the Office of Price Administration. Where open yard storage was performed at a facility or a portion of a facility during the 1943-44 season, such storage is not subject to this subparagraph (9) and the maximum price is that established by § 1499.2 of the General Maximum Price Regulation and section 8.2 (b) (1) to (7), inclusive, of Revised Supplementary Regulation No. 14.

(iii) Receiving charge not subject to 1944-45 emergency surcharge. The additional receiving charges for "emergency open yard storage" are not subject to the 17 percent surcharge established by section 8.2 (b) (6) of Revised Supplementary Regulation No.

(Amendment 166).

This amendment shall become effective November 9, 1944.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of

Issued this 9th day of November 1944.

CHESTER BOWLES. Administrator.

[F. R. Doc. 44-17188; Filed, Nov. 9, 1944; 4:40 p. m.

# TITLE 46-SHIPPING

Chapter III—War Shipping Administration

[G. O. 29, Supp. 10]

PART 341-SHIP WARRANT RULE AND REGU-LATIONS

SUSPENSION OF RATE CEILING

General Order 29 (§ 341.75 Suspension of rate ceiling with respect to vessels of less than 1,000 gross tons), as amended, is amended by striking out the words "December 3, 1944", and inserting in lieu thereof the words "March 8, 1945".

(E.O. 9054, 7 F.R. 837)

E. S. LAND, Administrator.

NOVEMBER 9, 1944.

[F. R. Doc. 44-17221; Filed, Nov. 10, 1944; 11:46 a. m.]

# Notices

# CIVIL AERONAUTICS BOARD.

[Docket No. 8A-95]

AIRCRAFT OF U. S. REGISTRY NC 28310

INVESTIGATION OF ACCIDENT OCCURRING NEAR HANFORD, CALIF.

In the matter of investigation of accident involving aircraft of United States Registry NC 28310 which occurred near Hanford, California, on November 4, 1944

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding, that hearing is hereby assigned to be held on Saturday, November 11, 1944, at 9:00 a. m. (p. w. t.) in the Superior Courtroom, Court House, Hanford, California, and on Monday, November 20, 1944, at 9:30 a. m. (p. w. t.) in Room 255, Federal Building, Los Angeles, California.

Dated at Washington, D. C., November 8, 1944.

[SEAL]

W. K. ANDREWS, Presiding Officer.

[F. R. Doc. 44-17180; Filed, Nov. 9, 1944; 12:07 p. m.]

# FEDERAL COMMUNICATIONS COM-MISSION.

[Docket No. 6679]

MAGIC CITY BROADCASTING CO.

#### NOTICE OF HEARING

In re application of Ernest E. Forbes, Jr., tr/as Magic City Broadcasting Co.; date filed, August 4, 1944; for construction permit for a new station; class of service, broadcast; class of station, broadcast; location, Birmingham, Alabama; operating assignment specified: Frequency, 1490 kc; power, 250 w; hours of operation, unlimited. File No. B3-P-

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Patterson Broadcasting Service, Docket No. 6680; Thomas N. Beach, Docket No. 6681; and Courier Broadcasting Service, Inc., Docket No. 6682, upon the following issues.

1. To determine the qualifications of the application to construct and operate

the proposed station. 2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which would gain primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.

4. To determine whether the granting of this application would serve an outstanding public need or national inter-

5. To determine whether the granting of this application would be consistent with the Commission's supplemental statement of policy of January 26, 1944.

6. To determine whether the proposed station would provide primary service to (a) the business district, (b) the residential districts, and (c) the metropolitan district of Birmingham as contemplated by the Standards of Good

Engineering Practice.

7. To determine whether the granting of this application, the application of Patterson Broadcasting Service (File No. B3-P-3647; Docket No. 6680), the application of Thomas N. Beach (File No. B3-P-3713; Docket No. 6681), the application of Courier Broadcasting Service, Inc. (File No. B3-P-3681; Docket No. 6682), or any of them, would serve public interest, convenience or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means

of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Ernest E. Forbes, Jr., tr/as Magic City Broadcasting Company, 403 North 20th St., Birmingham 3, Alabama.

Dated at Washington, D. C. November

By the Commission,

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 44-17203; Filed, Nov. 10, 1944; 11:12 a. m.]

[Docket No. 6680]

PATTERSON BROADCASTING SERVICE

NOTICE OF HEARING

In re application of Ramon G. Patterson and Louise Patterson (Pursley), d/b as Patterson Broadcasting Service; date filed, June 16, 1944; for construction permit for a new broadcast station; class of service, broadcast; class of station, broadcast: location, Birmingham, Alabama; operating assignment specified: Frequency, 1490 kc; power, 250 w; hours of operation, unlimited. File No. E3You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Magic City Broadcasting Company, Docket No. 6679; Thomas N. Beach, Docket No. 6681 and Courier Broadcasting Service, Inc., Docket No. 6682, upon the following issues:

1. To determine the qualifications of the applicant partnership to construct and operate the proposed station.

2. To obtain full information with respect to the nature and character of the

proposed program service.

3. To determine the areas and populations which would gain primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.

4. To determine whether the granting of this application would serve an outstanding public need or national interest.

- 5. To determine whether the granting of this application would be consistent with the Commission's supplemental statement of policy of January 26, 1944.
- 6. To determine whether the proposed station would provide primary service to (a) the business district, (b) the residential districts, and (c) the metropolitan district of Birmingham as contemplated by the Standards of Good Engineering Practice.

7. To determine whether the granting of this application, the application of Magic City Broadcasting Company (File No. B3-P-3671; Docket No. 6079), the application of Thomas N. Beach (File No. B3-P-3713; Docket No. 6681), the application of Courier Broadcasting Service, Inc. (File No. B3-P-3681; Docket No. 6682), or any of them, would serve public interest, convenience or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by

means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Ramon G. Patterson and Louise Patterson (Pursley), d/b as Patterson Broadcasting Service, Read House, 9th & Broad Streets, Chattanooga, Tennessee.

Dated at Washington, D. C., November 6, 1944.

By the Commission,

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 44-17204; Filed, Nov. 10, 1944; 11:12 a. m.]

[Docket No. 6681] THOMAS N. BEACH NOTICE OF HEARING

In re application of Thomas N. Beach (New); date filed, September 26, 1944; for construction permit for a new standard broadcast station; class of service, broadcast; class of station, broadcast; location, Birmingham, Alabama; operating assignment specified: Frequency 1490 kc; power 250 w; hours of operation, unlimited. File No. B3-P-3713.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Magic City Broadcasting Co., Docket No. 6679; Patterson Broadcasting Service, Docket No. 6680; and Courier Broadcasting Service, Inc., Docket No. 6682, upon the following issues:

1. To determine the qualifications of the applicant to construct and operate the proposed station.

2. To obtain full information with respect to the nature and character of the

proposed program service.

3. To determine the areas and populations which would gain primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.

4. To determine whether the proposed station would provide primary service to (a) the business district, (b) the residential districts, and (c) the metropolitan district of Birmingham as contemplated by the Standards of Good Engineering Practice.

5. To determine whether the granting of this application would serve an outstanding public need or national interest.

6. To determine whether the granting of this application would be consistent with the Commission's supplemental statement of policy of January 26, 1944.

7. To determine whether the granting of this application, the application of Patterson Broadcasting Service (File No. B3-P-3647; Docket No. 6680), the application of Magic City Broadcasting Company (File No. B3-P-3671; Docket No. 6679), the application of Courier Broadcasting Service, Inc. (File No. B3-P-3681; Docket No. 6682), or any of them would serve public interest, convenience or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by

means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Thomas N. Beach, 112 North 21st Street, Birmingham, Alabama.

Dated at Washington, D. C. November 6, 1944.

By the Commission,

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 44-17205; Filed, Nov. 10, 1944; 11:12 a. m.]

[Docket No. 6682]

COURIER BROADCASTING SERVICE, INC.

NOTICE OF HEARING

In re application of Courier Broadcasting Service, Inc. (New); date filed, August 21, 1944; for construction permit for a new standard broadcast station; class of service, broadcast; class of station, broadcast; location, Birmingham, Alabama; operating assignment specified: Frequency, 1260 kc, power, 250 w; hours of operation, unlimited. File No. B3-P-3681.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Magic City Broadcasting Co., Docket No. 6679; Patterson Broadcasting Service, Docket No. 6680; and Thomas N. Beach, Docket No. 6681, upon the following issues:

1. To determine the qualifications of the applicant to construct and operate

the proposed station.

2. To obtain full information with respect to the nature and character of the

proposed program service.

3. To determine the areas and populations which would gain primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.

4. To determine whether the granting of this application would be consistent with the Commission's supplemental statement of policy of January 26, 1944.

To determine the manner in which the applicant's program policies and methods of operation will be determined.

6. To determine whether the proposed station would provide primary service to (a) the business district, (b) the residential districts, and (c) the metropolitan district of Birmingham as contemplated by the Standards of Good Engi-

neering Practice.
7. To determine

7. To determine whether the granting of this application, the application of Patterson Broadcasting Service (File No. B3-P-3647; Docket No. 6630), the application of Magic City Broadcasting Company (File No. B3-P-3671; Docket No. 6679), the application of Thomas N. Beach (File No. B3-P-3713; Docket No. 6681), or any of them would serve public interest, convenience or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by

means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of §1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Courier Broadcasting Service, Inc., P. O. Box 1928, Birmingham, Alabama.

Dated at Washington, D. C. November 6, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE, Secretary

[F. R. Doc. 44-17206; Filed, Nov. 10, 1944; 11:12 a. m.]

INTERSTATE COMMERCE COMMIS-SION.

[S. O. 80, Amdt. 25]

BLYTHEVILLE, ARK.

DESIGNATION AS MARKET AREA WITH RESPECT TO GRAIN PERMITS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 9th day of November, A. D. 1944.

Upon further consideration of the provisions of Service Order No. 80, as amended (codified as § 95.19 of Title 49 C.F.R.):

It is ordered, That the town of Blytheville, Arkansas, is hereby designated as a market area subject to the terms of Service Order No. 80, as amended.

It is further ordered, That J. L. Gunn, Manager of Swift and Company is hereby designated and appointed as agent of the Commission to issue permits for the movement of soy beans, under the terms of this order in the market area of Blytheville, Arkansas. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this amendment shall become effective 12:01 a. m., November 11, 1944; that copies of this amendment be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement; and that notice of this amendment be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 44-17207; Filed, Nov. 10, 1944; 11:24 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2102, Amdt.]

MAX RAPHAEL RUBEN HAHN AND GERTRUDE TANA HAHN

In re: Real property, insurance policies, and claim owned by Max Raphael Ruben Hahn and Gertrude Tana Hahn, his wife.

Vesting Order Number 2102, dated September 6, 1943, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Max Raphael Ruben Hahn and Gertrude Tana Hahn, his wife, is Werder Strasse, 43, Hamburg, Germany, and that the last known address of Bernhard Schenkbar and Ida Schenkbar, his wife, is Schmalkaden, Karlstr. 12, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Max Raphael Ruben Hahn and Gertrude Tana Hahn, his wife, are the owners of the property described in sub-

paragraph 3 hereof;

3. That the property described as follows:
a. Real property situated in the Borough
of Queens, County of Queens, City and State
of New York, particularly described in Exhibit
A, attached hereto and by reference made a
part hereof, together with all hereditaments,
fixtures, improvements and appurtenances
thereto, and any and all claims for rents, refunds, benefits or other payments arising
from the ownership of such property,

from the ownership of such property,
b. All right, title, and interest of Max Raphael Ruben Hahn and Gertrude Tana Hahn,
his wife, and each of them, in and to the following insurance policies insuring the premises located at 8416 Pitkin Avenue, County of Oneons. City and State of New York.

Queens, City and State of New York.

(1) Fire insurance policy No. 259949, in the sum of \$7,000 issued by the Colonial Fire Underwriter Agency of Hartford, Connecticut,

(ii) Owners, Landlords and Tenants public liability policy No. 25173, issued by the Sun Indemnity Company to Max Raphael Ruben Hahn and Gertrude Tana Hahn, as owners of the property hereinabove described,

(iii) Plate glass insurance policy No. G-7-D-877 issued by the Sun Indemnity Company to Max Raphael Ruben Hahn and Gertrude

(iv) War Damage policy No. 596-54-5037 in the sum of \$7,000 issued by the War Damage Corporation through the Pacific Fire Insurance Company as fiduciary, to Max Raphael Ruben Hahn and Gertrude Tana Hahn, and c. All right, title, interest and claim of any

c. All right, title, interest and claim of any name or nature whatsoever of Max Raphael Ruben Hahn and Gertrude Tana Hahn, his wife, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Max Raphael Ruben Hahn and Gertrude Tana Hahn, his wife, by Richter & Kaiser, Inc., and represented on the books of Richter & Kaiser, Inc. as a credit balance due Max Raphael Ruben Hahn and Gertrude Tana Hahn, his wife, including but not limited to all security rights in and to any and all of such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-b and 8-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof;

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 6, 1944.

[SEAL] JAMES E. MARKHAM, Alien Property Custodian.

EXHIBIT A

All that certain lot, piece or parcel of land, situate, lying and being in the Fourth Ward of the Borough of Queens, of the City of New York, in the County of Queens and State of New York bounded and described as follows:

Beginning at a point on the southerly side of Pitkin Avenue distant 44.556 feet westerly from the corner formed by the intersection of the southerly side of Pitkin Avenue with the westerly side of 85th Street; and running thence southerly parallel with 85th Street and part of the distance through a party wall 105.99 feet; thence westerly at right angles to 85th Street 20 feet; thence northerly parallel with 85th Street and part of the

distance through a party wall 115.80 feet to the southerly side of Pitkin Avenue; thence easterly along the southerly side of Pitkin Avenue 22.278 feet to the point or place of beginning.

Together with an easement of right of way over the southerly 3 feet of the premises lying between the premises above described and the westerly side of 85th Street.

Subject to an easement of right of way over the southerly 3 feet of the premises above described.

Together with all right, title, and interest of Max Raphael Ruben Hahn and Gertrude Tana Hahn, his wife, in and to the land lying in Pitkin Avenue, in front of and ad-joining said premises to the center line thereof

Together with the appurtenances and all the estate and rights of Max Raphael Ruben Hahn and Gertrude Tana Hahn, his wife, in and to the said premises.

[F. R. Doc. 44-17208; Filed, Nov. 10, 1944; 11:28 a.m.]

[Vesting Order No. 2238, Amdt.]

#### HERMINE KUBLER HASSENCAMP AND OLIVER HASSENCAMP

In re: Interests in real property and bank accounts owned by Hermine Kubler Hassencamp and Oliver Hassencamp.

Vesting Order Number 2238, dated September 21, 1943, is hereby amended as follows and not otherwise:

By deleting from the said Vesting Order Number 2238 Exhibit A which is attached thereto and made a part thereof and substituting therefor Exhibit A which is attached hereto and made a part hereof.

All other provisions of said Vesting Order Number 2238 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratifled and confirmed.

Executed at Washington, D. C. on November 7, 1944.

[SEAL]

JAMES E. MARKHAM, Alien Property Custodian.

#### EXHIBIT A

All those tracts or parcels of land situated in the City of Akron and County of Summit in the State of Ohio, more particularly described as follows:

#### PARCEL I

That certain tract or parcel of land being the south one-half of Lot Number Fifteen 15) in Block Number One (No. 1) King's Addition to Akron, as surveyed and numbered by Albert G. Mallison, Surveyor, and recorded in the records of Portage County, Book "U", pages 555 to 566 inclusive, said premises being more particularly described as follows: Beginning at the southeast corner of said Lot Number Fifteen, thence in a westerly direction, along the south line of said lot and in the center of a brick wall, One Hundred Feet to the southwest corner of said lot No. 15; thence in a northerly direction along the east line of an alley, Thirty feet to the center of a brick wall; thence easterly on a line parallel to the south line of said Lot No. 15 and in the center of a brick wall, directly through the center of said Lot No. 15, One Hundred feet to the East line of said lot; thence south along the east line of said lot Thirty feet to the place of beginning,

Together with a strip of land two and onehalf feet in width immediately adjoining the above-described parcel of land on the east thereof and being the same premises vacated by the City of Akron, off the westerly side of Main Street by Ordinance to narrow Main Street from Market Street to Howard Street as introduced January 19, 1903, passed April 7, 1903 and recorded in Ordinance Book 11, Page 81 of the records of the City of Akron, Summit County, Ohio, be the same more or less, but subject to all legal highways.

That certain tract or parcel of land being the south Twenty feet (20 feet) of Lot Num-ber Twelve (No. 12) in Block Number One (No. 1) Kings Addition to Akron, as surveyed and numbered by Albert G. Mallison, Surveyor, and recorded in the records of Portage County, Book "U", Pages 555 to 566

Together with a strip of land two and onehalf feet in width immediately adjoining the above-described parcel of land on the east thereof and being the same premises vacated the City of Akron off the Westerly side of Main Street by Ordinance to narrow Main Street from Market Street to Howard Street as introduced January 19, 1903, passed April 7, 1903, and recorded in Ordinance Book 11, Page 81 of the records of the City of Akron, Summit County, Ohio.

[F. R. Doc. 44-17209; Filed, Nov. 10, 1944; 11:28 a. m.]

# [Vesting Order 2784, Amdt.]

LANSEC CORP.

Vesting Order Number 2784, dated December 15, 1943, is hereby amended as follows and not otherwise:

By deleting the figures and words "\$100 par value common stock" where such figures and words appear in said vesting order and inserting in lieu thereof the words "common capital stock without par

All other provisions of said Vesting Order Number 2784 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto, and under the authority thereof, are hereby ratifled and

Executed at Washington, D. C. on November 6, 1944.

[SEAL]

JAMES E. MARKHAM. Alien Property Custodian.

[F. R. Doc. 44-17210; Filed, Nov. 10, 1944; 11:28 a. m.1

# [Vesting Order 3850, Amdt.] LANSEC CORP.

In re: Dividend declared by Lansec Corporation.

Vesting Order Number 3850, dated June 22, 1944, is hereby amended as follows and not otherwise:

By deleting the figures and words "\$100 par value common stock" where such figures and words appear in said vesting order, and inserting in lieu thereof "common capital stock without par value."

All other provisions of said Vesting Order Number 3850 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto, and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C., on November 6, 1944.

JAMES E. MARKHAM, Alien Property Custodian.

[F. R. Doc. 44-17211; Filed, Nov. 10, 1944; 11:28 a. m.]

[Supplemental Vesting Order 4283]

EQUITIES DEVELOPMENT CORP.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended. and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found in Vesting Order Number 1334, dated April 27, 1943, that all of the outstanding capital stock of Equities Development Corporation, a corporation organ-ized under the laws of the State of New Jersey and a business enterprise within the United States, now in the process of dissolution, is owned by Grundstucks-Verwal-tungs-Gesellschaft Wandsbek m. b. H., a national of a designated enemy country (Germany), and having found further, therefore, that said Equities Development Corporation is a national of a designated enemy country (Germany);

and determining:
2. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national

hereby vests in the Alien Property Custodian all property of any nature whatsoever situated in the United States owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to said Equities Development Corporation, including but not limited to an obligation in the principal sum of \$33,353.19, together with the instrument evidencing such obligation in the form of Debenture Bond No. 1 dated January 9, 1941 and due January 9, 1951, executed by Equities Realty Corporation and payable to Equities Development Corporation or bearer, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country", and "business enterprise within the United States" as used herein, shall have the meanings prescribed in section 10 of Executive Order No. 9095,

as amended.

Executed at Washington, D. C., on November 6, 1944.

JAMES E. MARKHAM, [SEAL] Alien Property Custodian.

[F. R. Doc. 44-17212; Filed, Nov. 10, 1944; 11:28 a. m.]

[Supplemental Vesting Order 4284]

M. A. IRMISCHER, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order No. 344, dated November 7, 1942, that M. A. Irmischer, Inc., is a national of a designated enemy

country (Germany);

2. Finding that of the issued and outstanding capital stock of M. A. Irmischer, Inc., a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 90 shares of no par value common, 5 shares are registered in the name of Hubert Kolipiontek, are beneficially owned by Walter F. Irmischer, and together with the 84 shares heretofore vested, are evidence of control of said business enterprise;

3. Fnding that Walter F. Irmischer, whose last known address is Saalfeld, Germany, is a national of a designated enemy country

(Germany);

and determining: 4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany):

And having made all determinations and taken all action, after appropriate consultation and certification, required by law and deeming it necessary in the national in-

hereby vests in the Alien Property Custodian the 5 shares of no par value common capital stock of M. A. Irmischer, Inc., hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate account or accounts, pending further determination of the Alien

Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof, in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on November 6, 1944.

JAMES E. MARKHAM, [SEAL] Alien Property Custodian.

[F. R. Doc. 44-17213; Filed, Nov. 10, 1944; 11:28 a. m.]

OFFICE OF DEFENSE TRANSPORTA-TION.

[Supp. Order ODT 3, Rev. 395]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN SALT LAKE CITY AND PROVO, UTAH

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3; Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached

hereto as Appendix 2,1 and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

\* Filed as part of the original document.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other

act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transpor-

tation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of De-

fense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the pro-

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective November 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of November 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.
Appendix 1

Pacific Intermountain Express Co., Salt Lake City, Utah.

Utah Central Truck Line, Salt Lake City, Utah.

[F. R. Doc. 44-17182; Filed, Nov. 9, 1944; 3:33 p. m.]

[Supp. Order ODT 3, Rev. 396]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN LITTLE ROCK AND TEXARKANA, ARK.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Amendix 3, and

hereto as Appendix Z, and

It appearing that the proposed coordination of operations is necessary in
order to assure maximum utilization of
the facilities, services, and equipment,
and to conserve and providently utilize
vital equipment, materials, and supplies,
of the carriers, and to provide for the
prompt and continuous movement of
necessary traffic, the attainment of
which purposes is essential to the successful prosecution of the war, It is
hereby ordered. That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and tinue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or-intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requi-

site operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Trans-

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate

the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office c. Defense Transportation, Washington 25, D. C.

This order shall become effective November 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of November 1944.

J. M. Johnson,
Director,
Office of Defense Transportation.
Appendix 1

H. Q. Hamilton, Neil Sims and Roy C. Martin, copartners, doing business as Motor Express, Fort Smith, Ark.

L. T. Jamerson, doing business as Acco Transport Co. (H. W. Clarke, Receiver), Memphis, Tenn.

phis, Tenn.
J. E. Howe, doing business as Howe Truck
Line, Benton, Ark.

[F. R. Doc, 44-17183; Filed, Nov. 9, 1944; 3:33 p. m.]

[Supp. Order ODT 3, Rev. 397]

COORDINATED OPERATIONS IN WISCONSIN AND
MICHIGAN

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2.3 and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting

<sup>&#</sup>x27;Filed as part of the original document.

forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Trans-

portation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of De-

fense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in

the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective November 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of November 1944.

J. M. Johnson,
Director,
Office of Defense Transportation.
Appendix 1

Northern Transportation Company, Green Bay, Wisconsin,

W. D. Cochran, doing business as W. D. Cochran Freight Lines, Iron Mountain, Michigan.

[F. R. Doc. 44-17184; Filed, Nov. 9, 1944; 3:33 p. m.]

[Supp. Order ODT 3, Rev. 398] COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN MANI-TOWOC, WIS., AND CHICAGO, ILL.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2, and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or

bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible dili-The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Trans-

portation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of De-

fense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

<sup>\*</sup> Filed as part of the original document.

This order shall become effective November 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of November 1944.

> J. M. JOHNSON. Director Office of Defense Transportation. APPENDIX 1

Anderson Transportation Company, Inc., Sheboygan, Wisconsin, Clipper City Transit Co., Manitowoc, Wis-

[F. R. Doc. 44-17185; Filed, Nov. 9, 1944; 3:34 p. m.]

> [Supp. Order ODT 3, Rev. 399] COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN MAN-CHESTER, N. H., AND NEW YORK CITY,

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,1 and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved. the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or required any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible dili-The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pur-suant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless other-wise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective November 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly

proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of November 1944.

> J. M. JOHNSON. Director Office of Defense Transportation. APPENDIX 1

Joseph E. Faltin, doing business as J. E. Faltin Motor Transportation, Manchester, NH

Robert's Express, Inc., Manchester, N. H. William Albert Stackpole, doing business as W. A. Stackpole Motor Transportation, Manchester, N. H.

[F. R. Doc. 44-17186; Filed, Nov. 9, 1944; 3:34 p. m.]

[Notice and Order of Termination 8]

RISS & COMPANY, INC.

POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Riss & Company, Inc., by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that :

1. Termination of possession and con-Possession and control by the United States of the motor carrier transportation system of Riss & Company, Inc., 124 West 4th Street, Kansas City, Missouri, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the notice and order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., November 11, 1944. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. Communications. Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to Notice and Order of Termination No. 8.

Issued at Washington, D. C., this 10th day of November 1944.

> J. M. JOHNSON, Director. Office of Defense Transportation.

[F. R. Doc. 44-17220; Filed, Nov. 10, 1944; 11:36 a. m.]

OFFICE OF PRICE ADMINISTRATION. IMPR 136, Corr. to Amdt. 2 to Rev. Order 1041

FORD MOTOR CO.

ADJUSTMENT OF MAXIMUM PRICES

Correction of Amendment 2 to Revised Order 104 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Ford Motor Company; Docket No. 3136-324.

<sup>1</sup> Filed as part of the original document.

The fourth undesignated paragraph of Amendment 2 to Revised Order 104 under Maximum Price Regulation 136, as amended, is corrected to read as follows:

The Ford Motor Company may charge for transportation, an amount not to exceed the actual rail freight charge for shipment of the truck from Dearborn, Michigan, the basing point, to place of delivery, computed on the basis of three built-up 158" chassis cabs or four built-up 194" chassis cowls to a carload; and may charge an amount to cover additional freight expense when it delivers the truck with 4 tires and subsequently delivers 2 additional tires.

This correction shall be effective as of November 4, 1944.

Issued this 10th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17227; Filed, Nov. 10, 1944; 11:58 a. m.]

Regional and District Office Orders.

|Grand Rapids Order G-2 Under MPR 4261

FRESH FRUITS AND VEGETABLES IN GRAND RAPIDS, MICH.

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by Article III, section 15, Appendix H, paragraph (f) (2); Appendix J, paragraph (g) (2); Appendix J, paragraph (l) (2); and Appendix K, paragraph (r) (2) of Maximum Price Regulation No. 426, and by him delegated to the District Director of the Grand Rapids District by Article II, sections (g), (k), (n), and (r) of Second Revised Delegation Order No. 1-A, It is hereby ordered:

(a) That carlot, trucklot and primary receivers of the fresh fruits and vegetables set forth in Appendices H, I, J, and K, appearing in Article III, section 15 of Maximum Price Regulation No. 426, be permitted to add ten (10) cents per package to the maximum prices of said fresh fruits and vegetables when they break a car or truck, unload the fresh fruit or vegetables being priced into a store or warehouse owned or leased in whole or in part by them, and make delivered sales ex-store or exwarehouse of said fresh fruits and/or vegetables to the warehouses of retailers or other wholesale houses. The word "package" in this section refers to the type of container set forth in the foregoing appendices of the regulation and the delivery charges specified herein shall only apply to unbroken containers.

(b) This order shall be applicable to sales and deliveries of carlot, trucklot and primary receivers within the corporate limits of Grand Rapids, Muskegon, Kalamazoo, Battle Creek, Sturgis, St. Joseph, Benton Harbor, Ludington, Cadillac, Traverse City, and Petoskey, Michigan. (c) This order may be revoked, amended, or corrected at any time.

This order shall become effective October 25, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681; R. G. O. 32, 8 F.R. 1769)

Issued October 18, 1944.

J. ZWEEDYK, District Director.

Approved:

Donald E. Smith,
Acting Regional Director of Food
Distribution,
War Food Administration.

[F. R. Doc. 44-17190; Filed, Nov. 10, 1944; 10:34 a.m.]

SECURITIES AND EXCHANGE COM-MISSION.

[File No. 70-942]

CENTRAL NEW YORK POWER CORP.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of November

Central New York Power Corporation, a subsidiary company of Niagara Hudson Power Corporation, in turn a subsidiary company of The United Corporation, a registered holding company, having filed an application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of sections 6 (a) and 7 of the act with respect to the issuance and sale, in accordance with Rule U-50 promulgated under the act, of \$48,000,000 principal amount of General Mortgage Bonds, due 1974, the interest rate and the price to the company to be determined by competitive bidding; the proceeds of the sale of these bonds to be applied, together with treasury cash, to redeem \$45,000,000 principal amount of the company's General Mortgage Bonds, 33/4% Series, due 1962, at the redemption price of 104% of the principal amount thereof, plus accrued interest to the date of redemption, and \$5,000,000 principal amount of the company's General Mortgage Bonds,  $3\frac{1}{2}\%$  Series, due 1965, at the redemption price of 1041/2% of the principal amount thereof plus accrued interest to the date of redemption; and

Central New York Power Corporation having requested that the ten (10) day period for inviting bids, as provided by Rule U-50 (b), be shortened to seven (7) days in order to make possible the opening of bids on November 14, 1944; and

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein:

It is ordered, That said application, as amended, be, and the same hereby is, granted, subject, however, to the terms

and conditions contained in Rule U-24, and subject further to the following terms and conditions:

(1) That the applicant obtain from the Public Service Commission of the State of New York a final order approving the issuance and sale of said securities;

(2) That the proposed issuance and sale of securities shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain further terms or conditions as may then be deemed appropriate, jurisdiction being reserved for this purpose and to pass upon the price to be paid for said bonds, the interest rate thereof, the redemption prices thereof, the underwriters' spread and its allocation, and the legal fees to be paid to counsel for the company and counsel for the underwriters.

It is further ordered, That the ten (10) day period for inviting bids as provided by Rule U-50 (b), be and hereby is, shortened to a period of not less than seven (7) days,

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 44-17195; Filed, Nov. 10, 1944; 10:44 a. m.]

[File No. 70-984]

CAPITAL TRANSIT CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of November 1944.

Capital Transit Company, a subsidiary of Washington Railway and Electric Company, a registered holding company in The North American Company holding-company system, having filed an application-declaration and an amendment thereto, pursuant to the Public Utility Holding Company Act of 1935, regarding the proposed issue and sale of \$12;500,000 of First Mortgage, Series A, 4%, Bonds due December 1, 1964, pursuant to the competitive bidding provisions of Rule U-50, and a proposed unsecured bank loan of \$2,500,000 bearing interest at the rate of 2.65% per annum, to be repaid in installments over five years; and a hearing having been set with respect to such application-declaration for

10 a. m., e. w. t., November 20, 1944;
Capital Transit Company having in connection with said application-declaration filed a declaration and an amendment thereto pursuant to Rule U-62 of the act regarding the solicitation of authorizations from its common stockholders for the mortgaging of its property in connection with the above described

transactions;
Said declaration pursuant to Rule U-62 containing copies of the proposed notice

of special meeting of stockholders, proxy and proxy statement, and a full statement of the manner in which the solicitation is proposed to be made:

Capital Transit Company having requested that the declaration as amended in respect of the proxy solicitation material be considered and disposed of independently and in advance of the principal transactions and that the Commission enter its separate order permitting said declaration as amended as to all such proxy solicitation material to become effective on or before November 8, 1944; and

It appearing that the solicitation of authorizations of the common stockholders, as proposed to be conducted, does not make it necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of the act or the rules and regulations thereunder for the Commission to issue any order with respect thereto other than an order permitting the declaration as amended with respect to such solicitation to become effective;

It is therefore ordered, That, without in any manner passing upon the merits of the application-declaration filed pursuant to other applicable provisions of the act and rules thereunder, the declaration as amended with respect to solicitation of authorizations pursuant to Rule U-62 be and it is hereby permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 44-17196; Filed, Nov. 10, 1944; 10:44 a. m.]

[File Nos. 54-111; 59-12]

American & Foreign Power Co., Inc., ET AL.

# NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of November, A. D. 1944.

In the matter of American & Foreign Power Co., Inc., Electric Bond and Share Co., File No. 54-111; and in the matter of Electric Bond and Share Co., American Power & Light Co., Pacific Power & Light Co., Electric Power & Light Corp., Utah Power & Light Co., National Power & Light Co., American & Foreign Power Co., Inc., Ebasco Services Inc., respondents, File No. 59-12.

Notice of filing of section 11 (e) plan and notice of and order for hearing; notice of and order reconvening hearing pursuant to section 11 (b) (2) and notice of and order of consolidation.

The Commission having instituted proceedings (File No. 59–12) pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 (the "act") directed to Electric Bond and Share Company ("Bond and Share"), a registered holding company, and certain of its subsidiaries including particularly American & Foreign Power Company

Inc. ("Foreign Power"), also a registered holding company; and

The Commission having on May 18, 1943 issued its notice of and order reconvening hearing pursuant to section 11 (b) (2) of the act (Holding Company Act Release No. 4305) in the above described proceedings, raising issues therein, among other things, as to as to whether Bond and Share should be directed to take appropriate action in order to ensure that it should cease to be a holding company with respect to Foreign Power and its subsidiary companies; whether prior to Bond and Share's ceasing to be a holding company with respect to Foreign Power and its subsidiary companies, Bond and Share and Foreign Power should be required to take appropriate action to ensure that the corporate structure of Foreign Power should not unduly or unnecessarily complicate the structure or unfairly or inequitably distribute voting power among security holders of its holding company system; whether such action should include a recapitalization or reorganization of Foreign Power: and if such recapitalization or reorganization were required, what should constitute a fair and equitable recognition of the respective claims in and against Foreign Power therein, and such issues not having been heard or determined:

Notice is hereby given that Foreign Power and Bond and Share have filed a joint application with the Commission pursuant to section 11 (e) of the act for approval of a plan the stated purposes of which are the simplification of the capital structure of Foreign Power by substituting for its present capital structure one consisting only of no par value common stock and debt; the fair and equitable distribution of voting power among the security holders of Foreign Power; and the settlement and discharge of various claims and counterclaims among Foreign Power, Bond and Share and their respective security holders.

All interested persons are referred to the said plan and said application which are on file in the offices of the Commission for a full statement of the transactions therein proposed which are more particularly described below:

Foreign Power is a holding company, organized under the laws of the State of Maine, which has 101 subsidiary companies engaged in utility and other businesses in Argentina, Brazil, Chile, China, Colombia, Costa Rica, Cuba, Ecuador, Guatemala, India, Mexico, Panama and Venezuela.

The security structure of Foreign Power as of September 30, 1944, including the obligations of Foreign Power to Bond and Share, is detailed as follows:

Debt:	Principal amount or shares outstanding	Principal amount, liquidating, or residual value
5% Debentures, due 2030	\$50,000,000	\$50,000,000
3% Serial Notes (A)		30, 000, 000
Total Debt		\$80, 000, 000
Preferred Stocks (B):		
Preferred Stock (\$7)	_ 478, 995, 00 shs,	\$47,899,500 (C)
\$6 Preferred Stock	_ 387, 025, 65 shs.	38, 702, 565 (C)
Second Preferred Stock, Series A (\$7)	_ 2, 569, 886. 00 shs.	256, 988, 600 (C)
		\$343, 590, 665
Common Stock	2, 192, 638. 00 sh.	\$ 50,349,787 (D)
Option Warrants to Purchase Common Stock Preferred Stock Allotment: Certificates; these three certificates which contemplate the delivery of 8 shares of Preferred Sto(87) and 8 shares of Common Stock, if all calls w	m- ock	
paid, are subject to cancellation for default		
		\$473, 940, 452

(A) \$3,000,000 of this amount, due January 22, 1945, is classified by the company as Current and Accrued Liabilities.

(B) As of September 30, 1944 there were accumulated and unpaid dividends of \$35,289,957 on the Preferred Stock (\$7); \$24,440,566 on the \$6 Preferred Stock, and \$251,846,692 on the Second Preferred Stock, Series A (\$7). On a per share basis these amounts are approximately \$73.68, \$63.15 and \$98.00 respectively.

(C) Liquidation value of \$100 per share.

(D) Residual value after assigning \$100 liquidation value to the Preferred Stocks.

The plan states that the public holds the entire \$50,000,000 principal amount of the 5% Debentures due 2030, 465,195 shares (97.12%) of the Preferred Stock (\$7), 321,216.55 shares (83.00%) of the \$6 Preferred Stock, 411,650 shares (16.02%) of the Second Preferred Stock, Series A (\$7), 1,311,138 shares (59.80%) of the Common Stock, 720,210.80 (11.02%) of the Option Warrants to Purchase Com-

mon Stock and 3 (100%) Preferred Stock Allotment Certificates, and that Bond and Share owns the entire \$30,000,000 principal amount of 3% Serial Notes, 13,800 shares (2.88%) of the Preferred Stock (\$7), 65,809.10 shares (17.00%) of the \$6 Preferred Stock, 2,158,236 shares (83.98%) of the Second Preferred Stock, Series A (\$7), 881,500 shares (40.20%) of the Common Stock and 5,812,884

(88.98%) of the Option Warrants to Purchase Common Stock.

The net over-all effect on the security structure of Foreign Power of the action contemplated in and proposed by the plan will be the substitution for the present security structure of the company of one consisting of \$119,281,200 principal amount of 5% Debentures due 2030 and 2,500,000 shares of no par value Common Stock. Common capital account will be reduced by \$237,101,765 to provide for the creation of a capital surplus of \$191,-560.874 and for the making of certain other adjustments in connection with the proposed reorganization.

In connection with the foregoing Foreign Power will create an issue of \$69,-281,200 principal amount of new Debentures with the same provisions insofar as may be lawfully permitted as those of the \$50,000,000 Gold Debentures, 5% Series due 2030, now outstanding, which Debentures may be a new series permitted under the agreement dated the 1st day of March 1930 between Foreign Power and City Bank Farmers Trust

Company, as trustee.

It is stated in the plan that the rights of the holders of Foreign Power's existing 5% Debentures will not be disturbed; that the holders, other than Bond and Share of Foreign Power's existing Preferred Stock (\$7) will receive, for each share held, \$80 principal amount of new 5% Debentures due 2030, \$20 in cash and 1/2 share of common stock; that the holders other than Bond and Share, of Foreign Power's existing \$6 Preferred Stock will receive, for each share held, a like amount of new Debentures and cash and 34 of a share of Common Stock: that the holders other than Bond and Share, of Foreign Power's existing Second Preferred Stock, Series A, (\$7), will receive, for each share held, 1/2 share of Common Stock; and that the holders other than Bond and Share of Foreign Power's existing Common Stock will receive, for each share held, 1/50 of a share of Common Stock.

Bond and Share will be divested of all of its present interests in and against Foreign Power as set forth above and it will transfer to Foreign Power \$19,-500,000 principal amount of Debentures, due May 1, 1948, of Cuban Electric Company, a subsidiary of Foreign Power. Bond and Share will receive cash in the amount of \$1,592,210, \$6,368,700 principal amount of 5% Debentures due 2030 and 1,897,693 shares of Common Stock.

Of the total new capitalization of Foreign Power, security holders other than Bond and Share will own \$112,912,500 of 5% Debentures due 2030, and 24.1% of Common Stock. Bond and Share will own \$6,368,700 of 5% Debentures due 2030 and 75.9% of Common Stock.

Foreign Power may borrow on notes payable to banks an amount not in excess of \$5,000,000 to be used together with cash on hand for the payments to the public holders of its existing Preferred Stock (\$7) and \$6 Preferred Stock and to Bond and Share as set forth

No certificates for Debentures in fractions of \$100 or for fractional shares of Common Stock will be issued but scrip

will be issued in lieu thereof, which will not be entitled to any debenture holders' or stockholders' rights, except that when combined in lots aggregating respectively one or more full \$100 principal amounts of Debentures, or one or more full shares of Common Stock, such scrip may be exchanged for such Debentures or shares as the case may be within a period of one year after the effective date of the plan. All Debentures and shares of Common Stock reserved for issuance in exchange for scrip and not issued in connection therewith within the oneyear period will be sold by Foreign Power in the open market within 60 days after the expiration of such one-year period and the sole rights of the holders of such scrip certificates thereafter shall be to their pro rata shares of the respective proceeds of such sales without interest thereon.

Foreign Power and Bond and Share request, if the Commission approves the plan, that the Commission institute court proceedings for its enforcement as contemplated by section 11 (e) of the

act.

The plan provides that the approval of the plan by the Commission, its confirmation by the court and its consummation by the parties shall have the effect of a complete compromise, settlement and discharge of all claims and counterclaims of the parties or their various security holders as such, against the parties and wholly-owned subsidiaries including, but not limited to, those relating in any way to, arising out of or involving service or construction fees or charges or the debt or security holdings of Bond and Share in Foreign Power and its subsidiaries or predecessors or the conduct or management of Foreign Power or its subsidiaries or predecessors to the effective date of the plan, including in such claims but without limitation thereto, those specifically referred to in the plan which form the alleged basis for causes of action in stockholders' derivative actions specifically enumerated in the plan and any claims involved in the proceedings as enumerated in the plan which were instituted by and are pending before the Commission. The Commission is petitioned, if it approves the plan to fix and determine the amounts of the payments, if any, to be made by Foreign Power to the plaintiffs or their attorneys or accountants in the court actions enumerated in the plan by way of reimbursement for disbursements or allowances for legal or accounting services.

The plan also states that its effectuation is subject to obtaining from the United States Treasury Department a closing agreement or closing agreements as to the tax consequences of the transactions necessary to carry out the plan which will be satisfactory to the managements of the corporations affected, and subject to the Commission's reciting in its order that the relevant transactions of the plan are necessary or appropriate to the integration or simplification of the holding company system of which Foreign Power is a member and necessary or appropriate to effectuate the provisions of subsection (b) of section 11 of

the act, all in accordance with the meaning and requirements of the Internal Revenue Code as amended, including section 1808 (f) and Supplement R thereof

The Commission being required by the provisions of section 11 (e) of the act before approving any plan thereunder to find, after notice and opportunity for hearing, that such plan, as submitted or as modified, is necessary to effectuate the provisions of subsection (b) of section 11, and is fair and equitable to the persons affected by such plan, and it appearing appropriate to the Commission in the public interest and in the interest of investors that notice be given and a hearing be held upon said plan to afford all interested persons an opportunity to be heard with respect thereto and that the application with respect to said plan shall not be granted except pursuant to further order of the Commission; and

It further appearing to the Commission that the hearing in the proceeding (File No. 59-12) instituted by the Commission pursuant to section 11 (b) (2) of the act should be reconvened as to the issues relating to Foreign Power and Bond and Share set forth in said order of May 18, 1943, and the additional issues set forth herein; and

It further appearing to the Commission that the proceeding with respect to the proposed plan is related to and involves common questions of law and fact with the issues in the above-described proceeding pursuant to section 11 (b) (2) of the act (File No. 59-12) relating to Foreign Power and Bond and Share and should be consolidated for consideration by the Commission together therewith;

It is ordered, That the hearing on the issues relating to Foreign Power and Bond and Share set forth in said order of May 18, 1943 be reconvened and that the proceeding with respect to said plan filed pursuant to section 11 (e) of the act and the said proceeding instituted by the Commission be, and they hereby are, consolidated to the extent of consideration by the Commission of the issues involved, and that any relevant evidence adduced in either of said proceedings shall be incorporated in and be deemed to be included in the record of the other for this purpose.

It is further ordered, That a hearing in these proceedings be held at 10:30 a. m., e. w. t. on the 12th day of December, 1944, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at that time by the Hearing Room Clerk in room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall notify the Commission in the manner provided by its rules of practice, Rule XVII, on or before December 8, 1944.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial

examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented in the proceedings particular attention will be directed at the hearings to the following matters and questions in addition to those stated in the order of this Commission referred to above, dated May 18, 1943:

1. Whether the plan as submitted or as hereafter modified is necessary to effectuate the provisions of section 11 (b)

2. Whether the securities to be issued in connection with the proposed plan are appropriate in nature and reasonably adapted to the security structure and earning power of Foreign Power and its holding company system and whether any terms or conditions should be imposed in connection therewith.

3. Whether the proposed plan as submitted or as hereafter modified is fair and equitable to the persons affected

4. Whether, if the plan is approved by the Commission, it is appropriate in the public interest and in the interest of investors that any terms and conditions be imposed in connection with such approval and, if so, what such terms and conditions should be.

5. Whether the fees and expenses to be paid in connection with the plan or the proceedings with respect thereto are

reasonable and appropriate.

6. Whether the plan should be modified to include a provision for the payment by the parties thereto of such fees and expenses in connection with the plan or the proceedings with respect thereto as the Commission may deter-

mine, award or allow.

7. Whether the Commission shall, in accordance with the petition of the parties to the plan, take and exercise jurisdiction to fix and determine the amounts of the payments, if any, to be made by Foreign Power to the plaintiffs or their attorneys or accountants in the legal proceedings specifically enumerated in the plan, by way of reimbursement for disbursements or allowances for legal or accounting services and, if so, what action it should take in the exercise of such jurisdiction.

8. Whether the accounting entries in connection with the plan are in con-formity with the standards of the act and rules promulgated thereunder.

9. Generally, whether the provisions of the plan are in all respects in the public interest and in the interest of investors and consistent with all applicable requirements of the act and the rules thereunder

10. Whether the present corporate structure of Foreign Power unduly or unnecessarily complicates the structure, or unfairly or inequitably distributes voting power among security holders of the holding company system of which it is a part; and if so, what steps shall Foreign Power and Bond and Share be directed to take to cure such undue or unnecessary complication or such unfair or inequitable distribution of voting power.

It is further ordered, That jurisdiction be reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these proceedings or to consolidate with these proceedings other filings or matters pertaining to the subject matter of these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved; and

It is further ordered, That notice of this hearing be given to Foreign Power and Bond and Share and to all other persons, said notice to be given by registered mail to Foreign Power and Bond and Share and to the attorneys of record in the legal proceedings specifically enumerated in the plan involving claims of the kind sought to be compromised, settled and discharged by the plan, and to all other persons by publication in the FEDERAL REGISTER; and

It is further ordered, That Foreign Power and Bond and Share shall give notice of this hearing to all their security holders (insofar as the identity of such security holders is known or available to them) by mailing to each of said persons a copy of this notice and order for hearing at his last known address at least 20 days prior to the date of this hearing.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 44-17191; Filed, Nov. 10, 1944; 10:43 a. m.]

|File Nos. 54-59: 59-271

INTERNATIONAL UTILITIES CORP., ET AL NOTICE OF FILING AND ORDER RECONVENING

HEARING At a regular session of the Securities

and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of November, A.

In the matters of International Utilities Corporation, Dominion Gas and Electric Company, File No. 54-59; International Utilities Corporation, File No.

International Utilities Corporation, a registered holding company, and its subsidiary, Dominion Gas and Electric Company, having heretofore filed an application and amendments thereto, pursuant to section 11(e) and other applicable sections of the Public Utility Holding Company Act of 1935 and the general rules and regulations promulgated thereunder, with respect to a plan of recapitalization of International Utilities Corporation;

The Commission having entered an order on April 13, 1944, approving said plan, subject to certain terms and conditions, including the following:

1. That the applicants undertake to pay such fees and reimburse such expenses incurred or to be incurred in connection with said plan, the transactions incident thereto, and the consummation thereof, as are approved, allocated, or awarded by further order or orders of this Commission;

The applicants and various claimants having filed statements and petitions for allowances setting forth the amount of fees and expenses already paid and the amounts for which request for payment has been made, totaling in the aggregate the sum of \$84,384.07 and including the following:

White & Case, attorneys for Inter-\$20, 202, 30 national Piper. Watkins & Avirett, attorneys for International\_\_ Peat, Marwick, Mitchell & Co., accountants for International\_ 1 250,00

Class A Stockholders Protective Commit-		
tee:		
Stanley Stanger,		
chairman	\$6, 559. 25	
Gordon C. Liersch,		
member	1, 148. 97	
Edward W. Smith,	- Ulia SS	
member	925.00	
George J. Allen, sec-	B50 00	
retary	750.00	
Ralph C. Tees, Cana- dian secretary	1, 229, 39	
Molson & Cushing.	1,249.08	
accountants	1, 084, 97	
Scribner & Miller.	1,001.01	
attorneys	6, 448, 40	
Total		18, 185. 9

It appearing to the Commission that it is appropriate and in the public interest and in the interest of investors and consumers that a hearing be held with respect to the appropriateness of the payment of the said fees and expenses, or any portion thereof, and the reasonableness thereof;

It further appearing to the Commission that the hearing herein previously closed should be reconvened for the purpose of taking testimony concerning the reasonableness of such fees and expenses:

It is ordered, That a hearing on said matter be held on December 5, 1944 at 10:00 a. m., e. w. t., in the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. Any person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission on or before December 1, 1944, his request or application therefor as provided by Rule XVII of the rules of practice of the Commission. Any person not included in applicants' notification of the fees and expenses requested herein, who desires to request payment of fees or expenses for services rendered in this proceeding, shall file a notification with the Commission as to the proposed amount of such fees and expenses, not later than December 1, 1944.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order to International Utilities Corporation, White & Case, Piper, Watkins & Avirett, Peat, Marwick, Mitchell & Co., Stanley Stanger, Gordon C. Liersch, Edward W. Smith, George J. Allen, Ralph C. Tees, Molson & Cushing, and Scribner & Miller by registered mail, and that notice of said hearing be given to all persons by publication of this order in the Federal Register.

It is further ordered, That International Utilities Corporation give notice of this hearing to each of the holders of its common stock (insofar as the identity of such security holders is known or is available to it) by mailing to each of such security holders to his last-known address a copy of this notice and order at least ten days prior to December 5, 1944.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 44-17192; Filed, Nov. 10, 1944; 10:43 a. m.]

[File No. 54-110]

CONSOLIDATED ELECTRIC AND GAS CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of November, A. D. 1944.

Notice is hereby given that Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, has made a filing with the Commission pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which may be summarized briefly as follows:

Consolidated seeks approval of a plan under section 11 (e) of the act, designated by it as the "Southern Cities Plan" which plan proposes that Consolidated satisfy and retire the outstanding 5% First Lien and Collateral Trust Bonds, Series A, due April 1, 1958, of Southern Cities Utilities Company, all of which have been assumed by Consolidated and of which there were outstanding on September 25, 1944, \$5,082,000 principal amount. Consolidated requests that this Commission, in the event that it approves the Southern Cities Plan, apply to an appropriate federal court, in accordance with the provisions of sections 11 (e) and 18 (f) of the act, to enforce and carry out the terms and provisions of the said plan.

By the terms of the plan, Consolidated will satisfy and retire the said bonds by payment in cash of the principal amount thereof plus accrued interest thereon to date of payment but without the payment of any redemption premium. The redemption premium applicable to these bonds at the present time is  $2\frac{1}{2}\%$  of

their principal amount. Within ten days after the entry of an appropriate court order regarding the plan, Consolidated proposes to give notice to the effect that it will satisfy and retire all of Southern Cities bonds as hereinabove described. The holders of the Southern Cities bonds are to have the right to receive cash equal to principal and interest as aforesaid, at any time after the first publication of notice, upon surrender of said bonds to Central Hanover Bank and Trust Company, Trustee under the indenture securing said bonds. The plan provides that from and after the date designated for payment no further interest is to accrue upon any of the Southern Cities bonds.

At September 25, 1944, Consolidated states that it had available for the discharge of the Southern Cities bonds cash of \$1,883,288. The plan recites that Consolidated by the payment date will have an additional \$500,000 of available cash from normal operations. The plan further recites that Consolidated has pending various proposals for the divestment of certain of its assets which it is estimated will generate approximately \$2,-325,000 in cash to Consolidated. It is stated that any needed balance of cash will be obtained either through additional divestments or through a temporary bank loan.

Certain of the cash proposed to be used for the retirement of Southern Cities Bonds is or will be on deposit under the indenture securing the Collateral Trust Bonds of Consolidated; Consolidated represents that under terms of the said indenture funds on deposit under the said indenture can be used to retire Southern Cities Bonds as provided in this plan.

Consolidated further proposes that, if and when the time for appeal from the court order approving the plan has expired and no appellate proceedings are pending or if an appeal has been taken and such court order has been affirmed on appeal and the period has expired for any further appellate proceedings, the Central Hanover Bank and Trust Company of New York, trustee under the indenture securing the said Southern Cities Bonds. is to cancel all of said bonds deposited with it after satisfaction and retirement thereof and deliver to the Continental Illinois National Bank and Trust Company of Chicago, trustee under the Collateral Trust Indenture of Consolidated securing its Collateral Trust Bonds, all of the assets then remaining in the hands of Central Hanover Bank and Trust Company of New York, as trustee, excepting only sufficient cash to satisfy and discharge all Southern Cities Bonds then outstanding and sufficient cash to pay all of its then outstanding charges and expenses in acting under the indenture or under the court order.

The plan further provides that in the event that the court order approving the plan is appealed from and is reversed on appeal and such reversal is sustained and becomes final, the surrender of Southern Cities Bonds for payment pursuant to the plan and the receipt of payment in accordance thereof is not to constitute a waiver of any right under the indenture

or the bonds to the premium applicable thereto.

Consolidated further proposes that it have the right, subsequent to the issuance of an order of this Commission approving the Southern Cities plan, if such approval is given, to purchase bonds of Southern Cities in the open market, through brokers or from the holders thereof but without solicitation, for cash at principal amount plus accrued interest.

The Commission being required by the provisions of section 11 (e) of the act, before approving any plan submitted thereunder, to find after notice and opportunity for hearing that such plan as submitted, or as modified, is necessary to effectuate the provisions of section 11 (b), and is fair and equitable to the persons affected by such plan; and it appearing appropriate in the public interest and in the interest of investors and consumers that notice be given and a hearing be held with respect to said plan;

It is ordered, That a hearing on said matters under the applicable provisions of the act and rules of the Commission promulgated thereunder be held on December 11, 1944 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at that time by the hearing room clerk in room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by its rules of practice, particularly Rule XVII, on or before December 8, 1944.

It is further ordered, That W. E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of this Commission shall serve notice of the aforesaid hearing by mailing a copy of this order by registered mail to Consolidated Electric and Gas Company, Central Hanover Bank and Trust Company, Trustee under the indenture securing bonds of Southern Cities Utilities Company, and Continental Illinois National Bank and Trust Company of Chicago, Trustee under the indenture securing Collateral Trust Bonds of Consolidated Electric and Gas Company, and that notice of said hearing be given to all other persons by publication of this order in the Federal Register.

It is further ordered, That Consolidated give notice of this hearing to each of the holders of the bonds of Southern Cities, the bonds of Consolidated and the preferred stock of Consolidated (insofar as the identity of such security holders is known or is available to Consolidated) by mailing to each of such security holders to his last-known address, a copy of this notice and order at least fifteen days prior to December 11, 1944.

It is further ordered, That, without Umiting the scope of the issues presented by said filing, particular attention shall be directed at said hearing to the follow-

ing matters and questions:

(1) Whether the proposed transactions are necessary to effectuate the provisions of section 11 (b) of said act and are fair and equitable to all persons affected thereby, and, particularly, whether the proposal that the indebtedness represented by Southern Cities Bonds be satisfied by payment of the principal amount thereof with accrued interest to date of same in cash but without payment of any redemption premium thereon is necessary to effectuate the provisions of section 11 (b) and is fair and equitable to the holders of said bonds to the remaining se-curity holders of Consolidated, and to all other persons affected thereby;

(2) Whether, and in what manner, the proposed plan should be modified to insure adequate protection of the public interest and the interest of investors and consumers and compliance with all the applicable provisions of the act and rules

thereunder;

(3) Whether the plan should be amended to provide that Consolidated will pay such fees and expenses in connection with the plan as may be awarded, allowed or allocated by the Commission;

(4) Generally, whether, in any respect, the proposed transactions are detri-mental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the Act or of any rules, regulations, or orders of this Commission promulgated thereunder.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 44-17193; Filed, Nov. 10, 1944; 10:43 a. m.]

[File Nos. 70-740; 70-741; 70-743; 70-746] UTILITIES EMPLOYEES SECURITIES CO., ET AL ORDER DENYING PETITION FOR REHEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of November A. D. 1944.

In the matter of Utilities Employees Securities Co., File No. 70-740; Stanley Clarke, Trustee of Associated Gas and Electric Co., Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corp., General Gas & Electric Corp., Associated Utilities Corp., File No. 70-741; New England Gas and Electric Association, File No. 70-743; Noel T. Dowling, James V. Gilloon, Jr., Joseph A. Shields, Trustees under Pension Trust Agreement Dated December 14, 1937, as amended, File No. 70-746.

The Commission having, on October 12, 1944, issued an order approving payment to the extent of \$9,445 by Utilities Employees Securities Company of a claim of Warren & McGroddy for fees of

A petition for rehearing and reconsideration of said order having been filed

and considered by the Commission; the Commission having this day issued its opinion respecting the said petition; in accordance with said opinion,

It is ordered. That the petition be, and

it hereby is, denied.

By the Commission.

[SEAL]

ORVAL L. DuBois. Secretary.

[F. R. Doc. 44-17194; Filed, Nov. 10, 1944; 10:44 a. m.l

> [File No. 1-1824] PENN TRAFFIC CO.

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRA-

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of November, A. D. 1944.

The Penn Traffic Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, \$2.50 Par Value, from listing and registration on the Philadelphia Stock Exchange;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an op-

portunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, November 27, 1944, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Henry C. Lank, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memo-randa or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

ORVAL L. DuBois, Secretary.

[F. R. Doc. 44-17224; Filed, Nov. 10, 1944; 12:03 p. m.]

[File No. 70-951]

GENERAL WATER GAS & ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of November, A. D. 1944.

General Water Gas & Electric Company, a registered holding company and

a subsidiary of International Utilities Corporation, also a registered holding company, having filed a declaration and amendments thereto pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the general rules and regulations promul-gated thereunder, regarding the proposed redemption by General Water Gas & Electric Company of 5,987 shares of its \$3.00 Cumulative Preferred Stock, without par value, by selection by lot out of the 70.919 publicly held shares (excluding from the total of 75,174 shares outstanding the 4,255 shares which are owned by International Utilities Corporation) at the redemption price of \$52.50 per share plus accumulated unpaid dividends to and including the redemption date; the funds for such proposed redemption being derived from the balance of the proceeds remaining from the sale of its subsidiary, Boise Water Corporation:

Said declaration having been filed on the 16th day of August 1944 and the last amendment having been filed on the 4th day of November 1944, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of section 12 (c) and Rule U-42 are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declara-

tion to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that the said declaration be and the same hereby is permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 44-17225; Filed, Nov. 10, 1944; 12:03 p. m.]

[File Nos. 70-972, 70-975]

CITIES SERVICE POWER & LIGHT CO., AND PUBLIC SERVICE CO. OF COLORADO

ORDER GRANTING APPLICATIONS AND PER-MITTING DECLARATIONS TO BECOME EF-

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of November, A. D., 1944.

Cities Service Power & Light Company ("Power & Light"), a registered holding company, and Public Service Company of Colorado ("Public Service"), a holding company exempt under Rule U-2 from all the provisions of the act except section 9 (a) (2), have filed applications and declarations pursuant to sections 9 (a), 10, 11 (b) and 12 (d) of the Public

No. 226-5

Utility Holding Company Act of 1935 and the applicable rules thereunder, proposing the following transactions:

(a) The sale by Power & Light to, and the acquisition by, Public Service of all the outstanding common stock of The Pueblo Gas and Fuel Company ("Pueblo") consisting of 3,500 shares at a par value of \$100 per share, for a base price of \$400,000 in cash, subject to certain adjustments at the date of sale; and

(b) The application by Power & Light of the net proceeds of the sale to the prepayment of its Bank Loan Notes in accordance with the terms thereof, as required by Power & Light's Custodian Agreement dated March 15, 1944 with the Chase National Bank of the City of New York.

Power & Light having requested the Commission to issue an appropriate order and findings in connection with the aforesaid sale of its interest in Pueblo and the use of the proceeds of such sale conforming to the requirements of sections 371 (b) and 1808 of the Internal Revenue Code:

Proceedings upon said applications and declarations having been consolidated for the purposes of hearing, a public hearing on such consolidated proceedings having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein:

It is found and ordered, That the proposed sale by Cities Service Power & Light Company of its interest in The Pueblo Gas and Fuel Company consisting of 3,-500 shares of common stock of \$100 par value per share for a base price of \$400,-000 and the use of the net proceeds from the sale of such stock to prepay its bank loan notes in accordance with the terms thereof, as required by Cities Service Power & Light Company's Custodian Agreement dated March 15, 1944 with the Chase National Bank of the City of New York, as set forth in the declaration filed by Cities Service Power & Light Company are necessary and appropriate to the

simplification or integration of the holding company system of which Cities Service Power & Light Company is a member, and necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 within the meaning and requirements of sections 371 (b) and 1808 of the Internal Revenue Code, as amended.

It is further ordered, That said applications and declarations be and the same hereby are, granted and permitted to become effective subject to the terms and conditions prescribed in Rule U-24: And provided further, That jurisdiction is reserved with respect to the accounting entries to be made by Cities Service Power & Light Company in recording the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DuBois, Secretary.

[F. R. Doc. 44-17226; Filed, Nov. 10, 1944; 12:03 p. m.]



